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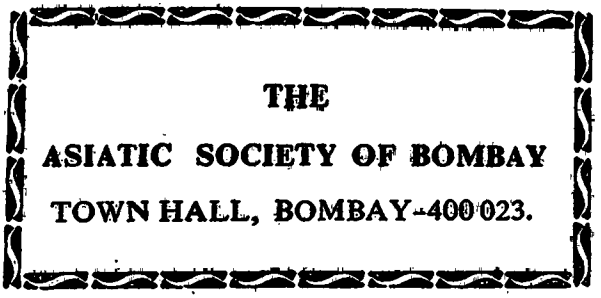

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MARY QUEEN OF SCOTS

AND

HER ACCUSERS

From the Monument in Westminster Abbey.

MARY QUEEN OF SCOTS

AND HER ACCUSERS

EMBRACING

A NARRATIVE OF EVENTS FROM THE DEATH OF JAMES V. IN 1542 UNTIL THE DEATH OF QUEEN MARY IN 1587

BY

JOHN HOSACK

BARRISTER-AT-LAW

32176

SECOND EDITION, MUCH ENLARGED

IN TWO VOLUMES

VOL. I.

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PREFACE TO THE SECOND EDITION.

In presenting to the public a New Edition of this Work, I cannot but express my sincere and grateful thanks for the reception it has met. I may add that, in consequence of the interest which is still manifested in the subject, it is my intention, in a second volume, to continue my narrative down to the death of Queen Mary, and incidentally to examine at length the evidence produced on her trial at Fotheringay. The concluding Chapter of the First Edition is accordingly omitted in this volume.

The photograph prefixed to this volume has been taken from a cast which, by permission of the Dean of Westminster, was made from the bust which surmounts Queen Mary's tomb in the Abbey. The name of the sculptor is unfortunately unknown; but it was erected in the lifetime of her son; it is evidently the work of an accomplished artist, and it is most probably the best likeness of Queen Mary now existing in this country.

Temple, London, *November* 1870.

PREFACE TO THE FIRST EDITION.

It is a remarkable fact, that notwithstanding the innumerable histories which have appeared of Mary Queen of Scots, and notwithstanding the warm controversy to which the question of her guilt or innocence has given rise, the specific charges preferred against her at the Conference at Westminster in 1568 have never hitherto been published. It is well known that on that occasion a Book of Articles was produced by her accusers before they exhibited their proofs to the Commissioners of Queen Elizabeth; but in none of the voluminous collections relating to the subject is this document to be found. A copy of the Articles has, however, been preserved among the interesting collection of contemporary papers known as the Hopetoun Manuscripts; and it is now given to the public, with the permission of the Earl of Hopetoun, to whom it belongs, and of the Lord Clerk Register, the Right Honourable Sir William Gibson-Craig, in whose custody it has for the present been deposited.

As the authenticity of the Articles may be questioned, the following reasons are submitted to the reader in proof of their genuineness:—

In the first place, their title, which is peculiar, corresponds exactly with the title of the Book of Articles referred to in the Journal of Queen Elizabeth's Commissioners of the 6th of December 1568,[1] when the document was first produced; and they also consist, like that referred to, of five parts.

Secondly, They are not only written in a contemporary hand, but they are written in the same hand as a considerable portion of the Register of the Privy Council of Scotland. This important fact was pointed out to the writer by Mr Thomas Dickson of the Register House, Edinburgh, to whom he has been indebted for much valuable assistance in the prosecution of his researches.

A specimen of the handwriting of the Articles, and of that which appears in the Register of the Privy Council about the same period, will be found at the beginning of the first chapter. It may be added that the handwriting bears a very strong resemblance to that of Alexander Hay, who was clerk to the Privy Council at the time of the Westminster Conference, and for several years afterwards. But upon this point no confident opinion can be expressed.

The last and strongest proof of the authenticity of these Articles is their identity in various passages with the 'Detection' of Buchanan, which was published some time after the Westminster Conference. It is clear, from a comparison of these passages, that both are not original; and as the Articles were in existence before the publication of the 'Detection,' the obvious inference is, that Buchanan inserted portions of them in his famous libel.

[1] Goodall, ii. 234.

Another interesting document is printed in the Appendix, which was supposed to have been lost—namely, the Journal of the proceedings at Westminster[1] on the day upon which the silver casket, containing the alleged letters of Queen Mary to Bothwell, was produced. We learn from this paper the order in which the letters and other documents were exhibited to the Commissioners of Elizabeth.

A facsimile of a portion of the testamentary inventory of the jewels of the Queen of Scots, discovered some years since,[2] is given at page 151. The inventory was made out shortly before the birth of her son in June 1566.

Through the researches of Professor Schiern of Copenhagen, the date of the capture of Nicolas Hubert, commonly called "French Paris," has been ascertained. This is an important point considered with reference to the authenticity of the depositions which bear his name. A letter from Professor Schiern to the writer will be found on the subject at page 250.

The writer further desires to express his best thanks to Mr David Laing of Edinburgh, and to Mr John Hill Burton, Historiographer of Scotland, for the valuable assistance they have rendered him on many occasions in the prosecution of his work.

[1] See Appendix C. [2] In the Register House, Edinburgh.

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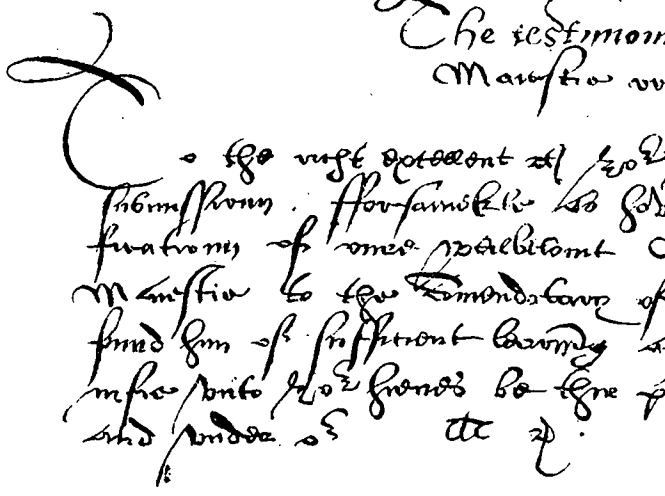

EXTRACT FROM THE REGISTER OF THE PRIVY COUNCIL ACT, 16TH JANUARY 1571,

IN THE GENERAL REGISTER HOUSE, EDINBURGH.

The fourt part contenyng the seguele of the said murther fra the committing thairoff to the accomplishing of the present and unlawfull mariage betting the queene and brithwile

The murther thus contmettit in a strange and unconth manne, Notthit standing the horrible crak of the pulder in the overthrall and rising of the hous, quhilk astonysed and walkinnet the maist part of the inhabitantis of the town, yet it nolthere fearit nor moxit the queene na nare nor dere sic thing had bene.

EXTRACT FROM THE BOOK OF ARTICLES, SEE APPENDIX, *B*.

MARY QUEEN OF SCOTS,

AND HER ACCUSERS.

CHAPTER I.

STATE OF SCOTLAND IN THE SIXTEENTH CENTURY — DEATH OF JAMES V. — PROGRESS AND ESTABLISHMENT OF THE REFORMATION.

During the latter half of the fifteenth century the power of the feudal aristocracy in western Europe underwent a perceptible decline. In England this result was in a great measure due to the long and destructive contests between the houses of York and Lancaster. In France and Spain it was brought about partly by the growth of modern commerce, partly by the character and policy of their respective kings. A decided increase of the royal authority was a necessary consequence in all these countries of the diminished influence of the great vassals of the Crown; and we perceive in the policy of Henry VII., of Louis XI., and of Ferdinand V., a vigour and a steadiness of purpose unsurpassed by that of the most celebrated of their predecessors.

While these important changes were taking place among her neighbours, the condition of Scotland remained unaltered. Her nobles had never been weakened like those of England by the wars of a disputed succession, and her towns had as yet acquired no political importance. It was in vain that during this and the succeeding century the most strenuous efforts were made by the Scottish kings to break down the overgrown power of their great vassals. In all these struggles the latter proved victorious, and of the first five Jameses no fewer than three perished, the victims of aristocratic anarchy.[1] The division of nearly the whole of the Church lands among a body of men already too powerful, was a necessary result of the Reformation; and from the death of James V. until the union of the two crowns, Scotland was oppressed by a nobility the most rapacious and corrupt that probably ever existed. Previous to this time the people seem to have fared better at the hands of their feudal lords than in the neighbouring countries. In Scotland, one fruitful element of discord—diversity of race—was wanting. Although her Celtic and Teutonic inhabitants were essentially distinct, and occupied different portions of the kingdom, their chiefs and nobles were, for the most part, men of native birth. The exception consisted of Anglo-Saxon and Anglo-Norman adventurers, comparatively few in number, who, having obtained their lands by royal grant or by marriage, soon acquired, in the midst of strangers, the language and the habits of their adopted

[1] These were James I., James III., and James V. James II. and James IV. were killed in the English wars; the one at Roxburgh, the other at Flodden.

country. To this community of blood and language between the vassal and his lord, we may probably attribute the remarkable fact, that although we have innumerable examples in Scottish history of insurrections of the nobles against the Crown, we have none of an insurrection of the people against the nobles. In England, in France, and in Germany, the tyranny of the feudal lords led, throughout the middle ages, to frequent sanguinary outbreaks on the part of the unhappy peasantry; and as the Scots were not more patient of oppression than their neighbours, the absence of any such commotions among them can only be explained by the existence of a better state of feeling between the two great orders of society.

Between the nobles and the people there existed an intermediate class peculiar in some respects to Scotland. These were the so-called lesser barons, lairds, or landed gentry, who held their estates directly from the Crown. The possessions of these men were often insignificant in extent, but, in virtue of their tenures, they enjoyed the privilege of a seat in Parliament, and were thus placed, for the time being, on a footing with the nobles and titled ecclesiastics. They all, in fact, together with the burgesses, or representatives of the royal burghs, sat and voted in the same House; and although the influence of the nobility was ever paramount, the theory, at least, of Parliamentary equality was fully recognised.[1]

[1] Gilbert Stuart, Public Law of Scotland, 129. In criminal proceedings the lesser barons or lairds were also on a footing of equality with the nobility. At the trial of the Earl of Bothwell for the murder of Darnley, in 1567, the jury of fifteen consisted of eight peers, two sons of peers, and five lairds—namely, Lochinvar, Langton, Cambusnethan, Barnbogle, and Boyne.—Keith, ii. 545; edition printed for the Spottiswoode Society in 1844.

Unlike the nobles, the Church and clergy of Scotland were in general conspicuous for their loyalty. No aspiring prelate ever attempted like à Beckett to trample on the authority of the Crown: we may add that no pusillanimous prince ever consented like John to surrender their independence and his own to the See of Rome. The popes, indeed, while in the zenith of their power, sought to appropriate to themselves the ecclesiastical patronage of Scotland as well as that of other countries. But in the reign of William, surnamed the Lion, this attempt was successfully resisted. On the death of the Bishop of St Andrews in the year 1178, Pope Alexander III. claimed the right, in conjunction with the Chapter, of nominating his successor; but William, unconvinced by the arguments, and undismayed by the threats, of the Pontiff, not only refused to recognise his nominee, but banished him and all his kindred from Scotland.[1] A similar spirit was displayed in the following century by Alexander II., who at first[2] refused to allow a Papal legate to enter Scotland, and who eventually consented to receive him, only on condition that he signed a declara-

[1] Annals of Scotland, by Sir D. Dalrymple, i. 143; Bower's History of the Popes, vi. 160.

[2] The jealousy entertained of Rome by the early Scottish kings was remarkable. Alexander was at York on a visit to Henry III., when the Pope's representative applied for permission to visit Scotland; but the northern monarch replied that no Papal legate had ever entered his kingdom, or ever should, if he could help it (Mat. Paris, anno 1237). Two years later the application was renewed, when Alexander again declared that the presence of the legate was not required in Scotland, for that Christianity already flourished there, and the Church was prosperous. Paris says that although the Papal representative proceeded no farther north than Edinburgh, he contrived to collect a considerable sum of money, with which he departed secretly when the king was in a distant part of his dominions (anno 1239).

tion that his visit should not be deemed a precedent. Still later we find that Sir William Wallace, when Guardian of the kingdom, deposed the Bishop of St Andrews, who was charged with favouring the designs of Edward I., and appointed in his stead a prelate whose fidelity and zeal were above suspicion.[1] Another instance of the supremacy of the executive authority occurred in the reign of James V., who in the year 1533 committed the Primate of Scotland to prison, on account of his refusal, it is supposed, to pay certain contributions which had been levied on the property of the Church.[2] These repeated assertions of the supremacy of the temporal power led to important results; for the kings of Scotland continued down to the time of the Reformation to exercise the sole right of nominating the bishops and other dignitaries of the Church; and from vacant benefices, fines, and other casualties incident to ecclesiastical patronage in the feudal ages, a considerable portion of the royal revenue was derived.

Few monarchs of Scotland enjoyed a greater share of popularity than James V. His high spirit, his love of adventure, his literary tastes, and, above all, his readiness on all occasions to redress the wrongs of the humblest of his subjects, acquired for him a title of which he was justly proud. But the "King of the Commons," as he was affectionately called, was destined to find, as many of his ancestors had found before him, that the goodwill of the people was no

[1] This extraordinary stretch of authority was made the subject of formal complaint by Edward to Pope Boniface VIII. See Documents and Records to illustrate the History of Scotland, by Sir F. Palgrave, 332.

[2] Pinkerton, i. 321.

security against the ambition of the nobles. During his minority, the intolerable tyranny of the Douglases made so deep an impression on his mind that he would never, after arriving at manhood, suffer any member of that domineering house to live in Scotland. The dislike which in his boyhood he had imbibed against his stepfather, the Earl of Angus,[1] and his kindred, extended by degrees to the whole order of nobility; and James sought and found his ablest counsellors among the clergy. We learn from Sir Ralph Sadler,[2] who was better acquainted with Scotland than any English statesman of the day, that this order of men were alone capable, from their habits and education, of rendering efficient aid to the king in the conduct of public affairs. Interest as well as intellectual sympathy therefore induced James to prefer them to the unruly and unlettered barons, whose power his ancestors had in vain attempted to break down, and which eventually proved fatal to himself. Excluded from all State employment, the nobles were disposed more readily to listen to the doctrines of Luther and Calvin, which were now making considerable progress throughout the kingdom.

It was not from spiritual zeal alone that they began to look with favour on the new faith. The plunder of the monasteries in England under Henry VIII. was a precedent which they might hope would one day be followed in the northern kingdom, where the possessions of the Church were, comparatively speaking, of immense extent and value. But James, though not

[1] Angus married Margaret Tudor, widow of James IV., and eldest sister of Henry VIII.

[2] Despatches, i. 47.

opposed to the reformation of abuses,[1] adhered steadily to the religion of his forefathers. Henry appears all along to have believed that by means of a personal interview he should succeed in persuading his nephew to renounce his spiritual errors; but on three several occasions James declined, under different pretexts, to meet him at York. There can be no doubt that Cardinal Beaton and the other clerical advisers of James did their utmost to prevent the meeting, and they were probably actuated on this occasion by political as well as by religious motives. All the worst features in the character of Henry became more and more conspicuous towards the close of his reign. His temper, always overbearing, became ungovernable when he encountered the slightest opposition; and we have undoubted proof that, before the last meeting proposed at York, he had formed the design[2] of kidnapping his nephew while he was engaged in a hunting expedition near the Border, and of carrying him off a prisoner into England. Henry's Council had the spirit and the

[1] James, in his laudable desire to improve agriculture, had introduced various kinds of foreign stock into the kingdom, and was himself the owner of large flocks of sheep. Henry suggested through his ambassador that it would be more becoming in a prince to increase his revenue by taking into his hands the possessions of the richest abbeys in his kingdom than by meddling "with sheep and such mean things." James replied that there was not an abbey in Scotland that would not readily supply him with anything it possessed, "and so what needs us to spoil them?" Sadler then referred to the disreputable lives of the monks. "Oh," quoth the king, "God forbid that, if a few be not good, for them all the rest should be destroyed! Though some be not," quoth he, "there be a great many good; and the good may be suffered, and the evil must be reformed, as ye shall hear," quoth he, "that I shall help to see it redressed in Scotland, by God's grace, if I brook life."—Sadler, i. 30, 31.

[2] For the plan of Henry and the remonstrance of his Council, see Burton's History of Scotland, iii. 367.

prudence to express their decided disapproval of the treachery meditated by their master;[1] and, thwarted in his intentions of making either a convert or a prisoner of the King of Scots, Henry gave vent to his rage and disappointment by declaring war.

In the autumn of 1542 the Duke of Norfolk[2] entered Scotland at the head of a powerful army; but the left wing of the invading force was defeated near Jedburgh[3] by the Earl of Huntly; and partly from this cause, partly from the scarcity of provisions, Norfolk was soon compelled to retreat. James had summoned the Crown vassals to assemble in the neighbourhood of Edinburgh, and, unmindful of his father's fate, resolved to follow his retreating enemies into England. But the consequences of his past policy now became strikingly apparent. He had mortally offended his nobles by his systematic neglect, and it was now their turn to make him feel the weight of their resentment. They one and all refused to cross the border, asserting that they were not bound by their allegiance to leave their native country. It was in vain that the young king, elated with the victory of Huntly, used all his powers of persuasion, which were naturally great, to overcome the disaffection of his nobles; and it was in vain that he afterwards, with a smaller army, attempted the invasion of Cumberland. At Solway Moss they not only refused to obey the leader he had appointed to command them,[4] but they laid down their arms, without striking a blow, to a few hundred English troops. This last disaster literally broke his gallant

[1] See the memorial in Burton's History of Scotland, iii. 367.
[2] He was the son of the conqueror of Flodden.
[3] At Haddenrig.
[4] Oliver Sinclair.

heart. He saw that his rebellious nobles had left him no choice between a hopeless war and a humiliating peace; and his untimely death furnishes a solitary example of a prince of vigorous intellect, and in the very prime of manhood, sinking under the weight of intolerable grief.[1] His only surviving legitimate child was eight days old when she became Queen of Scotland.

Under circumstances very similar, Edward I. had proposed a marriage between his son, the first Prince of Wales, and an infant Queen of Scotland, and the terms offered by that politic monarch were to all appearance so reasonable and just that they were readily accepted by the Scots;[2] but the premature death of their queen had the effect of postponing for three centuries the union of the two crowns. Henry now revived the project of his great predecessor, and a marriage between Prince Edward, who was now five or six years old, and the heiress of Scotland, was so obvious a mode of establishing permanent peace between the two countries, that the proposal was at first received with favour by the most intelligent politicians in both. But the arbitrary and capricious conduct of the English king eventually proved fatal to the scheme.

Among the prisoners taken at Solway Moss were the Earls of Glencairn and Cassilis, and the Lords Maxwell, Somerville, Oliphant, and Gray. There were also in London at this time the Earl of Angus and his brother Sir George Douglas, who had been banished from Scotland by James, and whom Henry, capricious

[1] "He could die," says Drummond, "but could not digest a disaster."—Robertson, History, i. 285.

[2] Rapin, book ix.

in friendship as in hatred, had treated during their long exile with princely liberality. The King of England now determined to employ the prisoners of Solway Moss and the Douglases, who had so long been pensioners on his bounty, in promoting the marriage of his son; and they readily consented to use their influence in Scotland for that purpose. But Henry had another object in view at this time. The projected marriage must necessarily be delayed for many years; but Henry desired to annex Scotland to his dominions in his lifetime, and the Scottish prisoners, on condition of being set at liberty, bound themselves by a secret treaty to aid the king in his design. Whether they were sincere in their professions may be a question, but, in any case, they found on their return to Scotland that Henry's scheme of annexation was utterly impracticable. The project of the marriage had revived afresh among the people all the ancient jealousy of England; and had "the assured lords," as Henry and his Council were wont to call them, ventured to take up arms on behalf of the English king, they could not have counted upon a single follower even among their own retainers. Sir George Douglas, who on various occasions during the previous fifteen years had borne arms against his countrymen in the service of Henry, explained to the English ambassador in the most graphic language the impossibility at this time of carrying into execution his master's scheme. "There is not so little a boy," said Douglas, "but he will hurl stones against it; and the wives will handle their distaffs, and the commons universally will rather die."[1] He added, that these sentiments were shared

[1] Sadler, i., embassy to Scotland in 1543.

by many noblemen, and by the whole body of the clergy. It was necessary, therefore, to keep Henry's design a secret from the people. But "the assured lords" became objects of general suspicion; and before the negotiations were finally concluded, an incident occurred which had probably more effect than anything else in determining the Scots eventually to break off the match.

Certain Scottish merchant-ships, relying on the truce between the two countries, had taken refuge from the weather in English harbours, and were seized by command of the king, who alleged that they were carrying provisions to his enemies the French. The resentment of the Scots, and particularly of the inhabitants of Edinburgh, at this proceeding, was extreme. They foresaw, as a consequence of the projected alliance with England, the entire loss of their trade with France; and such was the excitement in Edinburgh, that Sir Ralph Sadler deemed it prudent, with a view to his personal safety, to retire to the impregnable fortress of Tantallan, a stronghold of the Douglases, near Dunbar. Henry, although indignant that his ambassador should not have deemed himself secure in the capital of Scotland, appears to have felt that he had committed a mistake; for he made some proposition, the terms of which are not known, to the owners of the captured ships. It was one, however, which they instantly rejected, as inconsistent alike with their honour and with the interests of their country. Sir Ralph Sadler, in a letter to the Privy Council, states that they were greatly offended at the condition proposed to them, "and say," he adds, "they will not only lose their ships and goods without making any further suit of the

same, but also they will lose their lives rather than grant that condition, and become traitors to their own country." Mr Tytler[1] justly contrasts the spirit and patriotism of these honest traders with the servility and treachery of their noble countrymen; and the pains taken by Henry to conciliate the former, indicate that the middle class in Scotland had already acquired some importance.

The growing dislike of the people to the English marriage was witnessed with the utmost satisfaction by the whole body of the clergy, who did their utmost to deepen and extend it; and Henry, irritated beyond measure at the obstinate jealousy of the Scots and the entire failure of his schemes, once more prepared for war.

On the death of James V., the Earl of Arran, chief of the family of Hamilton, and next heir to the crown after the infant queen, was duly chosen governor of the kingdom. But this nobleman, who possessed no talents for government,[2] was only nominally at the head of affairs. The person who exercised the greatest influence in Scotland for several years after the death of James was Cardinal Beaton, a prelate of great capacity and courage, devoted to the French alliance and to the old religion. Mary of Lorraine, the queen-dowager, naturally inclined to the party of which the cardinal was the head, and their joint influence combined with an English war to retard the progress of

[1] History of Scotland, iv. 307.

[2] "A very gentle creature, and a simple man, easily to be ruled."—Sadler, i. 75. See also State Papers, Henry VIII., iv. 289, in which the queen-dowager, a most intelligent observer, gives him the same character: "He is assuredly," she says, "a simple and the most inconstant man in the world; for whatsoever he determineth to-day he changeth to-morrow."

the Reformation in Scotland. Henry regarded with intense hostility the man who from the first had detected, and who finally defeated, his policy in that country, and to rid himself of his enemy he did not scruple to employ the weapons of the assassin. Cardinal Beaton was barbarously murdered at the Castle of St Andrews in 1546; and it cannot now be doubted that the crime was approved, and that its perpetrators were rewarded, by the King of England.[1]

Beaton has been very generally represented as a cruel persecutor of the Reformers; and the putting to death of a fellow-creature because his religious opinions differ from our own, is a thing so revolting to modern notions, that we regard with unmixed abhorrence all such acts of tyranny. But these were not the sentiments of the sixteenth century. It is certain that many Catholics, as well as many Protestants, then regarded the destruction of their enemies as a sacred duty; and it is but fair, before we condemn the inhumanity of Beaton, to compare his conduct with that of contemporary rulers. Beaton is not accused by any one of putting to death more than seven persons, including the celebrated George Wishart; and it is to be observed, that not one of these victims of intolerance perished by torture. Even Wishart, who, we have every reason to believe, was plotting[2] the death of the cardinal at the time of his capture, was not committed alive to the flames.[3] Compared with the innumerable victims of religious tyranny who perished

[1] Tytler's History of Scotland, iv. 454, notes and illustrations.

[2] See Burton, iii. 466, and the authorities there quoted.

[3] This is stated even by Buchanan, one of Beaton's worst enemies. —History, lib. xv. Among Beaton's victims there was one woman, who was put to death at Perth by drowning.—Keith, i. 98.

under horrible tortures in England under Henry VIII., in France under Henry II., and in Spain under Philip II.—and compared with the wholesale butcheries of the Duke of Alva in the Netherlands—the persecutions of Cardinal Beaton sink into insignificance; and considering the age in which he lived, and the power that he enjoyed, he probably deserves rather to be commended for his moderation than denounced for his barbarity.

The death of the cardinal proved fatal to Catholicism in Scotland; and notwithstanding the hostilities with England, the Reformation made considerable progress. These hostilities were chiefly remarkable for the unprecedented display of national animosity which they exhibited, and it is impossible to read without a shudder the savage orders issued by Henry to his generals in the north.[1] So barbarous were these, that we find on one occasion the English borderers, inured as they were for centuries to war in its rudest form, refusing to obey them.[2] We find, on another occasion,

[1] The Earl of Hertford, who held the chief command, is instructed to "burn Edinburgh," so that it "may remain for ever a perpetual memory of the vengeance of God." The general is then to "sack Leith, putting man, woman, and child to fire and sword without exception." Hertford is then to cross over to Fife "to spoil and turn upside down the cardinal's town of Saint Andrews, *sparing no creature alive within the same*, specially such as either in friendship or blood be allied unto the cardinal." It is right to state that these orders were issued before the cardinal's murder.—Hamilton Papers, quoted by Robertson, i. 322. In March 1548, we find Hertford, then Duke of Somerset, directing his lieutenant, Lord Grey, to burn "as much houses and corn" as he could. The latter afterwards reports that he has burnt Musselburgh and Dunbar, which latter town "burned handsomely."—Record Office. The correspondence of the time abounds with such details. The abbeys and religious houses were not spared, and one of Hertford's officers boasts of burning a nunnery.—Duddley to Hertford, January 1548; Record Office.

[2] They refused to burn the standing corn in Scotland.—Record Office; Hertford to Henry VIII., 18th September 1545. Hertford says that in consequence Irish troops were employed for the purpose.

that the tombs of the Douglases, who had now turned against Henry, were wantonly destroyed at Melrose by an invading force under Sir Ralph Evers and Sir Brian Layton. But the outrage was speedily avenged by the chief of that warlike house at Ancrum Moor, where the English army was totally defeated, with the loss of both of its commanders.[1] It was, in short, a war of fierce retaliation on the part of Henry and his successors, and of stubborn resistance on the part of the Scots—a war generally disadvantageous to the latter, who sustained at Pinkie, in 1547, a defeat hardly less disastrous than that of Flodden, but not permanently affecting the interests or the policy of either country.

The ancient alliance between Scotland and France naturally became closer during these hostilities, and a treaty of marriage between the young queen and the Dauphin was concluded in 1548. Some of the most experienced statesmen of France disapproved of a match which they believed would endanger the old alliance between the two kingdoms; but the ambition of the house of Guise, the zeal of the Scottish clergy, and the prejudices of the people, rendered all opposition unavailing, and at the age of six Mary sailed for the country which was intended to be her future home.[2] About the same time a considerable

[1] They were both buried not inappropriately at Melrose, where the tomb of Sir Ralph Evers may still be seen.

[2] It is a proof of the extreme good-nature of the queen-dowager that she allowed her husband's eldest illegitimate son, the Lord James, to accompany her daughter to France. He was ten or twelve years older than his half-sister, and he was thus introduced at the French Court under the most favourable circumstances. He was originally destined for the clerical profession, and had been appointed Prior of St Andrews when only seven years old.—Chalmers, iii. 120. But he soon betook himself to more stirring pursuits.

body of French troops was despatched to Scotland, with the aid of which the war with England was protracted for two years longer. A general peace was concluded between the three countries at Boulogne on the 24th March 1550.

In the following year Mary of Lorraine visited France, and on her return to Scotland she had an interview with Edward VI. in London. The young king revived the project of his marriage with her daughter, to which it is said that the queen-dowager, probably foreseeing more clearly than her ambitious brothers that the days of Catholicism in Britain were numbered, was at this time by no means averse.[1] It is said that she even undertook to use her influence with the King of France to induce him to annul the contract between the Dauphin and her daughter. But all these projects were extinguished by the premature death of Edward VI. in 1553.

The Earl of Arran, who on the departure of the young queen for France had been created Duke of Chatelherault by Henry II., still remained Regent of Scotland; but it was a post for which his mild and irresolute nature rendered him eminently unfit; and, with the consent of the Parliament, he resigned it in favour of the queen-dowager on the 10th of April 1554. It was a very remarkable circumstance that a Catholic and a stranger should, without the slightest opposition, have been thus acknowledged as regent by a people among whom the doctrines of Calvin had now fairly taken root, and who had never before obeyed a foreigner or a female. But the queen-dowager was a princess of singular merit. Her

[1] Keith, i. 138.

amiable disposition, and her excellent understanding, inspired both affection and esteem among all classes of the people. She had, as well from prudence as humanity, protected the Reformers from persecution, and it was chiefly through their influence that she was raised to the regency. In the crisis through which Europe was passing, it was impossible to hold the balance evenly between the contending parties. But such was the general belief in her integrity, that in an age of unexampled intolerance, her enemies reproached not her but her ambitious brothers with the errors of her administration.[1] Besides appointing several of her countrymen to important offices[2] in Scotland, she was induced by her French advisers to propose the establishment of a standing army, on the model of that of France. The nobility by their silence[3] seemed to acquiesce in this unconstitutional innovation; but it encountered the most strenuous opposition on the part of the lairds or landed gentry, three hundred of whom, headed by one of their number, James Chalmers,[4] presented to the regent a spirited remonstrance, in which they declared that they had in times past successfully defended their country against foreign invaders without the aid of mercenary soldiers,

[1] "Erat enim singulari ingenio prædita, et animo ad equitatem admodum propenso."—Buchanan, Hist., lib. xvi.

[2] Du Rubay, an advocate of Paris, was appointed vice-chancellor of the kingdom; another Frenchman, Vilmont, was appointed comptroller of the royal revenues; and another was made governor of the Orkneys.—Keith, i. 160. The Scots had for centuries before enjoyed every species of patronage, as well civil as military, in France; but it seems they had no notion of reciprocity in these matters.

[3] Fletcher of Saltoun says that "by their silence" on this occasion "they betrayed the public liberty."—Political Works, 22.

[4] Of Gadgirth, in the county of Ayr.

and that they were equally well prepared to do so for the future. They further represented that nothing could be more disastrous for the kingdom than that those who were bound by honour and by interest to shed their blood in its defence should delegate that duty to men who fought for hire, and who therefore could never be relied upon in time of need.[1] The regent had the good sense at once to abandon a project which she perceived had raised a dangerous amount of discontent; and from the readiness with which it was withdrawn, we may infer that it was only proposed in deference to the wishes of her French advisers.

It is by no means improbable that this incident materially affected the subsequent course of British history. If the princes of Lorraine had succeeded in establishing a standing army in Scotland, we can hardly doubt that, under the circumstances, the example would have been followed in England; and in that event, the great struggle between the Commons and the Crown in the following century might have had a different termination from that which actually occurred.

With regard to religion,[2] the regent endeavoured, not without success, to moderate the animosities of the rival factions; but a circumstance which at first sight promised to strengthen the Catholics, had directly the contrary effect. The accession of Mary to the

[1] Keith, i. 162.

[2] According to the Protestant leaders, she showed no favour to the monasteries. In a letter to Knox, dated 10th March 1556, they say, —"We see daily the priors, enemies to Christ's gospel, in less estimation, *both with the queen's grace* and the rest of the nobility of our realm."—Keith, i. 152.

English throne, and the persecutions which followed, induced many Protestants to take refuge in Scotland, where, under the milder rule of the regent, they were not only allowed to live in peace, but found the means of making converts to the new faith. Among these refugees, John Willock, a celebrated preacher, soon acquired a remarkable degree of influence over the Reformers of every class.[1]

On the 24th of April 1558, Mary Stewart was married to the Dauphin, in pursuance of the treaty which had been concluded ten years before; and on the 17th of November following, Elizabeth, on the death of her sister Mary, succeeded to the English throne. This event opened new prospects of aggrandisement to the house of Lorraine. The most prominent members of that family were Francis, Duke of Guise, and his brother the cardinal—the one the most distinguished soldier, and the other the most ambitious statesman, of France. His triumphant defence of Metz against the Emperor Charles V., and, still more, his recent capture of Calais[2] from the English, in whose hands it had remained for upwards of two hundred years, rendered the duke at this time the idol of his countrymen; while his brother, though personally less popular, exercised immense influence

[1] Willock had originally been a Franciscan friar of Ayr. After embracing the Reformed faith he went to England, whence, on the accession of Mary, he returned to his native country.

[2] Cecil was probably the only Englishman who doubted at this time whether the loss of Calais was a subject for regret. In one of the numerous memoranda in his own handwriting which he has left behind him, we find the following query: "Whether, if Calais were had, it was better for the realm, or more chargeable than worth?"—Public Record Office; 18th July 1559. The secretary would not have ventured to express his doubts in public.

at the Court of Henry II. It was at the instigation of these ambitious princes that Mary and her husband assumed, on the accession of Elizabeth, the arms of England in addition to those of Scotland and France. Elizabeth and her ministers well understood the imputation and the menace intended by this bold step. It meant, that in the eyes of the princes of Lorraine, and of all good Catholics, the Queen of England was a bastard, and that the Queen of Scots was the true heiress of Mary Tudor. To this circumstance we may trace the commencement of that rivalry between the two queens which led to consequences so serious to both.

While the princes of Lorraine were indulging in these vain dreams, their sister became aware that a crisis was fast approaching in Scotland. From the toleration with which she had all along treated the Protestants, we may conclude that it was her object to effect eventually a compromise between the two religions; but the arbitrary counsels of her French advisers on the one hand, and the fanatical spirit of the Reformers on the other, rendered all such efforts unavailing. The regent experienced, in short, the fate of all who attempt, in time of revolution, to conciliate contending factions. She lost, for a time at least, the confidence of both. It had long been the custom in Scotland, when men were about to embark in any dangerous enterprise, to sign a "band," or bond, by which they obliged themselves to stand by each other at the hazard of their lives;[1] and at the insti-

[1] Matthew Paris says that it was a custom of the men of Galloway (and that district included in his day nearly the whole of the south-west of Scotland from the Solway to the Clyde), derived from the

gation of John Knox, who was then at Geneva, the Protestant leaders formed themselves into a league for the maintenance and the extension of their faith, under the name of the "Congregation of the Lord;" while on their opponents they bestowed the no less significant appellation of the "Congregation of Satan." There can be no doubt that, from the time of the formation of this league, it was the intention of Knox and his friends to attempt to establish their religion by force.[1] Protestantism had been established by the royal authority in England, and it was subsequently suppressed by the royal authority in France; but the religious revolution which took place in Scotland in 1560 was wholly the work of the people, and it was marked by all the excesses which invariably accompany popular commotions.

The Covenant subscribed by the leading Reformers was very naturally regarded as a declaration of war by their opponents; and the latter replied to the challenge by reviving the persecution of the Protestants, which since the death of Beaton had been entirely abandoned. The attempt, as it proved, was to the last degree impolitic, and tended only to

remotest times, before engaging in any dangerous enterprise, to pledge themselves, in blood drawn from their own veins, to stand by each other to the death. This ceremony was performed, in the words of the historian, "In signum quod essent ex tunc in antea, indissolubili et quasi consanguineo fœdere colligati; et in prosperis et in adversis, usque ad capitum expositionem indivisi."—M. Paris, fol. edit., 430. Is it to this barbarous practice that we are to trace the origin of those political and religious leagues of which Scottish history contains such numerous examples?

[1] The parties to this bond declared that they would "continually apply our whole power, substance, and our very lives" in maintaining their doctrines. And again, that "they would wage their lives against Satan, and all who troubled the foresaid Congregation."—Keith, i. 154.

widen the breach between the opposing parties. The victim selected for punishment was a priest named Walter Mill, who had for many years openly professed the new doctrines. He was condemned to the flames by the primate Hamilton,[1] and the great age and unshaken fortitude of the sufferer filled the spectators with sympathy and admiration. Walter Mill was the last victim of Catholic persecution in Scotland.

Instead of intimidating the Protestant leaders, this act of tyranny only induced them to assume a bolder tone. The regent in vain attempted to interpose her authority between them and the archbishop, and the Lords of the Congregation soon afterwards defied both the temporal and the spiritual power by openly celebrating the Protestant form of worship at Perth. The preachers who had thus violated the law were summoned to appear before the regent and her Council at Stirling, but as they failed to obey the summons, they were denounced as rebels in due form. From this time the queen-regent is charged by Knox, and the Protestant historians who have followed him, with various acts of dissimulation and falsehood; but it was necessary for the Protestant leaders to justify their rebellion, and we require better evidence of the truth of these charges than the unsupported testimony of her most unscrupulous enemy.[2]

While matters were in this critical state, Knox returned to Scotland. The zeal, the energy, and the

[1] Keith, i. 157.

[2] It is to be observed, that in none of their numerous public documents do they accuse the regent of breach of faith. Even their famous Act of Deprivation, which enumerates their charges against her, is silent on this point.—See Keith, i. 234. See also on this subject the notes in Hume, chap. 38; and Lingard, vi. 15.

dauntless spirit of that remarkable man, were well known to the Reformers of every class; and from the time of his arrival in his native country he seems, by common consent, to have assumed the direction of the religious revolution which was impending. He reached Edinburgh in the beginning of May 1559. On the 11th of the same month, in defiance of the prohibition of the regent and the Council, he preached at Perth, and on that occasion he denounced idolatry and image-worship with such excessive violence, that the populace, in a frenzy of religious rage, defaced the churches, and totally destroyed the monasteries of that ancient city. Knox shortly afterwards proceeded through the adjoining counties of Fife, Stirling, and the Lothians, at that time the most prosperous and populous in Scotland; and wherever he appeared, the same scenes of savage violence announced his presence and proclaimed his power. In the course of a few weeks innumerable religious edifices, including the metropolitan Cathedral of St Andrews,[1] and the Abbey of Scone, where from time immemorial the kings of Scotland had been crowned, were either irreparably damaged or levelled with the ground. The great Reformer might boast with Attila, that desolation followed on his track whichever way he turned.

In the midst of these dismal scenes, the Congregation was alarmed by the intelligence that Mary

[1] Of the destruction of this edifice, the finest in Scotland, Knox speaks in a tone of levity in which he rarely indulged. In a letter to Anna Lock, dated 23d June, after informing her that the "reformation" of St Andrews began on the 14th, he says: "The bishop" (*i.e.*, the primate Hamilton) "assured the lords, that if they suffered me to preach, twelve harquebutts should light upon my nose at once. Oh burning charity of a bloody bishop!"—Public Record Office.

Stewart had unexpectedly become Queen of France. In the end of June her father-in-law, Henry II., was accidentally killed at a tournament at Paris, and her husband, the amiable but feeble Francis, succeeded to the crown. By this event the princes of Lorraine acquired for a time the sole direction of affairs in France. During the lifetime of Henry, the great services and the high character of the Constable Montmorency induced that monarch on many occasions to prefer his moderate counsels to those of his ambitious rivals. But the unbounded influence which the young queen possessed over her husband Francis, and the deference which she naturally paid to her uncles the cardinal and the Duke of Guise, enabled them easily to triumph over every competitor for power. Even the influence of the queen-mother, Catherine de Medici, was all but annihilated during this short reign; and she justly blamed and heartily hated her daughter-in-law on that account.

The alliance which had been so eagerly courted by the Scots, in their anxiety to thwart the policy of Henry VIII., had now resulted in the union of the crowns of Scotland and France. But the anticipations of those who had planned and carried out this project were signally disappointed. Instead of cementing the ancient friendship between the two countries, the marriage of the Queen of Scots to a French prince was followed by discontent of the most serious kind. So long as the alliance between the French and Scots was of a purely military character, and directed against their common enemies, the Plantagenet kings of England, it was maintained with a fidelity upon both sides of which there are few examples in history. But the

attempt in the time of Mary to render the connection still closer not only weakened but destroyed it. Nor is it difficult to account for this result. The Scots, ever intensely jealous of foreign interference, regarded with deep dissatisfaction the continued presence of French soldiers in their capital, the advancement of Frenchmen to important offices in the state, and the airs of superiority which the latter were too apt to assume. Among a rude and warlike people, these feelings soon found expression, and it required all the address of the regent to prevent an open rupture. In spite, indeed, of all her efforts, the discontent of the Scots increased to such a degree, that even the leading Catholics became anxious for the withdrawal of the French troops. The Earl of Huntly, by far the most powerful of the Catholic nobles, and a professed adherent of the regent, preferred[1] at length the interests of his country to those of his religion.

The death of Henry II. was regarded as a serious misfortune by the Scottish Reformers. They were induced to believe that at the time[2] he was inclined to a change of policy in Scotland; but they had nothing to hope, and everything to fear, from the princes of the house of Guise, who, they were well aware, would henceforth wield the entire power of France. But the prospect of fresh dangers only roused the fearless spirit of Knox to fresh exertions. It had become evident that a collision between the rival factions was now inevitable, and he did not hesitate to

[1] "He found many delays," says Randolph, but at length subscribed the bond of the Congregation.—Letter to Norfolk of 28th April 1560; Record Office.

[2] Keith, i. 222.

prepare his hearers for the coming conflict by exhorting them "to die like men or live victorious." The regent, ever averse to extreme measures, made various attempts to come to terms with the Protestant chiefs. She offered them at last a complete amnesty for their rebellion, provided they would put a stop to the wanton destruction of religious houses, and provided they would prevent their preachers from publicly addressing the people. In the excited state into which the country had been thrown, it is hardly necessary to say that the first condition would have been worthless and impracticable without the last; but both were peremptorily rejected. "The lords and the whole brethren," says Knox, "refused such appointment, declaring that the fear of no mortal creature should cause them to betray the verity known and professed; neither yet to suffer idolatry to be maintained."[1]

Finding it impossible to come to any terms with the insurgents, the regent retired to the fortress of Dunbar, at that time probably the strongest in Scotland. A detachment of a thousand men soon afterwards arrived from France, and she received intelligence that one of her younger brothers, the Marquis d'Elbeuf, would speedily follow with a much larger force.

The insurgent lords now occupied the capital, but Leith, the port of Edinburgh, was still in the hands of the royalists, and the regent employed her best French officers in strengthening its walls. The Protestant chiefs thought fit to protest against this very obvious

[1] Knox to Anna Lock, 23d June 1559; Record Office. It is to be observed that he expresses no doubt in this letter as to the good faith of the regent.

and necessary step. Her reply was simple, and singularly expressive of the dangers by which she was surrounded. "Like as a small bird still pursued," she said, "will provide some nest, so her majesty could do no less but provide some sure retreat for herself and her company.[1] The lords now resolved upon a very extraordinary step. On the 21st of October they met under the presidency of Lord Ruthven, who proposed to them the following question: "Whether she, that so contemptuously refused the most humble request of the born counsellors of the realm, being but a regent, whose pretences threatened the bondage of the whole commonwealth, ought to be suffered so tyrannically to domineer over them?" Much difference of opinion having been expressed, it was resolved that the preachers should be heard upon the subject, and John Willock and John Knox unhesitatingly declared that, under the circumstances, the regent might be lawfully deprived of her authority. This opinion, expressed in the most emphatic language, appears speedily to have overcome the scruples of the Congregation, for the members present forthwith agreed, without a dissentient voice, that the regent should be deposed. An instrument, which they termed an Act of Deprivation, was drawn up, and proclaimed at the market-cross of Edinburgh on the same day. They thereafter despatched a letter to the regent, in which they informed her that they had, in the names of their sovereigns, suspended her commission; "and," they added, "as your grace will not acknowledge us, our sovereign lord and lady's true barons and lieges, for your subjects, no more will we acknowledge you as our regent

[1] Keith, i. 229, note.

or lawful magistrate unto us, seeing if any authority you have, by reason of our sovereigns' commission, granted unto your grace, the same for most weighty reasons is worthily suspended by us, in the name and authority of our sovereigns, whose counsel we are of native birth in the affairs of this our common weal." [1]

The deposition of the regent was only intended as a prelude to a more important step. The Earl of Arran, eldest son and heir of the Duke of Chatelherault, had embraced the Reformed faith while he was serving in the Scottish Guard in France; and he had made his escape with difficulty from that country, where it is said that, in consequence of his change of religion, his life was in danger.[2] On his arrival in England, he was supplied with money for his immediate wants by Cecil; and he was honoured with a private interview by Elizabeth at Hampton Court. What passed on that occasion is unknown, but the Lords of the Congregation, with the fervour peculiar to their country, had previously arrived at the conclusion that the surest way to establish Protestantism in Britain was to marry the Earl of Arran to the Queen of England. Their native sovereign might then be deposed as they had deposed her mother from the regency, and the Duke of Chatelherault would easily be induced to resign his title to the crown of Scotland in favour of his son. It was a bold, and, to all appearances, not an impracticable scheme; but there were serious obstacles in the way, as the Congregation afterwards discovered.

The marriage appears to have been first suggested to

[1] Keith, i. 234. [2] Ibid., i. 228.

Throgmorton, the English ambassador in Paris, by Alexander Whitelaw, an emissary of the Congregation. Throgmorton gave him a letter to Cecil. "Sandy," he says, "proposed a marriage between the queen and the Earl of Arran, the chief upholder of God's religion." Throgmorton adds, referring farther to Whitelaw: "This bearer is very religious, and therefore *you must let him see as little sin in England as you may.* He seemeth to be very willing to work what he can that Scotland may forsake utterly the French amity, and be united to England." "Sir," continues the ambassador, "in these services and occasions, to preserve you from further inconveniences, *the queen's purse must be open,* for fair words will not serve."[1] It is probable that Cecil attended to the recommendation of Throgmorton upon both points, as we know that the secretary cordially approved of the projected marriage between Arran and his mistress.[2]

As the queen-dowager returned no reply to the insolent communication of the insurgent lords, they proceeded to attack Leith, which by this time had been carefully fortified by its French garrison. But they soon discovered that the capture of this place was an enterprise beyond their strength. All their attacks were steadily repulsed, and instead of taking Leith, they were themselves in the course of a few weeks driven from Edinburgh, which was again occupied by the troops of the regent. Previous to this event an incident occurred highly characteristic of the manners of the age. Elizabeth had privately instructed her resident at Berwick, Sir Ralph Sadler, to transmit a

[1] Letter of 28th June; Public Record Office.
[2] Haynes, 359, 362.

sum of money to the Congregation, of which she knew that they stood much in need. It was intrusted to Cockburn of Ormiston, who passed Dunbar, with its French garrison, in safety; but as he was approaching Haddington, on the night of the 2d of November, he was suddenly attacked and wounded by the Earl of Bothwell, who carried off the treasure to his castle of Crichton, in the neighbourhood. Bothwell was at this time a young man of five or six and twenty, but, though a Protestant, a stanch adherent of the regent. Early next day his castle was attacked by a force of seven hundred men, both horse and foot, despatched by the Congregation to avenge their loss. Such was the speed of their movements, that Bothwell had barely time to throw himself upon a horse without a saddle,[1] and thus effect his escape. The troops of the Congregation, balked of their prey, pillaged his castle, but failed to recover the treasure which he had intercepted. To the demand of the lords that he should restore the money, Bothwell replied by sending a "cartel of defiance"[2] to the Earl of Arran, now their ostensible chief, but who prudently declined the invitation. Such is the first appearance in history of James Hepburn, Earl of Bothwell, a man who was ever afterwards regarded as an enemy both by Elizabeth and the Protestant leaders, and whose name and fortunes

[1] "He was departed suddenly upon a horse, without saddle, boots, or spurs."—Henry Balnaves to Sadler, 4th November; Public Record Office.

[2] Randolph to Sadler, 4th November; ibid. D'Oysell, the French commander in Scotland, says it was only £1000 that Bothwell intercepted—Teulet, i. 380; and Sadler himself says the same—see his letter to Randolph of 4th November; Record Office. Mr Tytler must therefore be mistaken in setting it down at four times this sum —see Hist., v. 105.

were afterwards so fatally connected with those of Mary Stewart.

On their discomfiture at Leith, the insurgents retired to Stirling, where, after much anxious deliberation, they resolved to seek the active aid of the Queen of England.

William Maitland of Lethington,[1] a man of astonishing talents and address, who served and betrayed all parties in their turn, and who, notwithstanding, continued to be courted by all until the day of his death, was the person selected to proceed to London on this important mission. He had acted as secretary to the regent down to the time when she retreated to Dunbar; but, with characteristic inconstancy, he then went over to her enemies, who evinced the sense of the acquisition they had made by employing him in a service so congenial to his tastes.

On his arrival in London he found that the ablest of the English ministers, Sir William Cecil, was fully informed as to the critical position of the Protestants in Scotland, and was prepared to advise his mistress at all hazards to assist them. But in this, as in other important transactions during her reign, Elizabeth exhibited a singular amount of indecision. She was well aware that Mary, as Queen both of France and Scotland, was now a very formidable rival; and she was also aware of the determination of the princes of Lorraine to crush, if possible, the Reformation in Scotland—an event which she had every reason to dread. But, on the other hand, she could not but regard the Congregation as rebels; and to support them openly against their lawful sovereign was a dangerous prece-

[1] He was the eldest son of Sir Richard Maitland of Lethington.

dent, which might some day be turned against herself. Her doubts and fears were shared by the Lord Keeper, Sir Nicholas Bacon, who was of opinion that she should continue to assist the Scots in secret, but that open intervention should be avoided, as it would bring about a rupture with France, and England was not then in a condition to engage in a great war.[1] Cecil knew well that it would be dangerous to aid, as it would be dangerous to abandon, the Congregation; but of the two perils he considered that the first would be the least. It required all his address, at this momentous crisis of British history, to overcome the scruples of his mistress, shared as they were by some of the most eminent of her Council. Elizabeth at length consented, though with the utmost reluctance, that a fleet should be sent to Scotland. But it was very doubtful whether the promised aid would arrive in time. Cecil had discovered that preparations were being made in France, on the most extensive scale, for the support of the regent. It was known that her health had been failing for some time past; but the English envoy in Paris had ascertained that two of her brothers, the Marquis d'Elbeuf and the Duke d'Aumale, were preparing to proceed to Scotland, the first to succeed his sister as viceroy, and the second to follow shortly afterwards with an army of 20,000 men.[2]

A circumstance which probably weighed more with Elizabeth than all these warlike preparations was the ostentatious manner in which Mary's pretensions to

[1] Harl. MS., 253, 83 b. His speech is printed in the Calendar of State Papers (Foreign) for the year 1559.

[2] Henry Killigrew to Queen Elizabeth, 27th December; Record Office. He had previously written that there were eighty sail ready to carry stores to Scotland—14th November.—Ibid.

the crown of England were at this time paraded by her uncles. We learn from the English envoy then in France, that on her entry with her husband into Rheims and Blois, the arms of England were displayed with those of Scotland and France. On her entering Chatelherault, we learn from the same source that the Queen of Scots walked first under a crimson canopy, on which were emblazoned the arms of Scotland, England, and France. The young king followed under a canopy which bore the arms of France alone.[1] The circumstance that the princes of Lorraine should have thus caused their niece to take precedence of her husband in his own dominions, furnishes a striking proof of their unbounded influence; and, considering the preparations which were being made to send a powerful army into Scotland, it can hardly be doubted that it was their intention at this time to assert her claim to the crown of England by force. But upon this, as on a still more memorable occasion, the elements proved singularly propitious to Elizabeth. In the midst of boisterous winter weather her fleet reached the Firth of Forth in safety; but two separate expeditions which left the coast of France about the same time were driven back, with the loss of many ships, a vast quantity of arms and provisions, and at least 3000 soldiers. Only two vessels, commanded by the Count de Martigues, lieutenant of the Marquis d'Elbeuf, reached the Forth, where they were immediately attacked and taken, after a desperate fight, by a Scottish volunteer.[2] The marquis himself regained Dieppe with

[1] Henry Killigrew to the queen, November 29; Record Office.

[2] "This feat," says Norfolk, "was done by one Andrew Sandes, a merchant, who is a great Protestant."—Norfolk to Cecil, 18th January 1560; Record Office. Arran to Maitland, 20th January; ibid.

difficulty, where it was resolved that a fresh expedition should be fitted out forthwith. But the discovery very soon afterwards of the Huguenot conspiracy of Amboise, which had for its object the destruction of the princes of Lorraine, put a stop to all such preparations.

The foreign policy of Elizabeth at this time may be easily described. It was simply to foment in secret internal discord in every country from which she apprehended danger to her own. Her ministers were obviously of opinion that, in the divided state of parties, and with her doubtful title to the crown, they could not venture on a bolder course. But the intervention in Scotland was about to assume a shape, under the auspices of Cecil, for which there was no precedent, and for which it was not easy to find a plausible pretext. It was necessary, nevertheless, to make the attempt; and when, accordingly, the French ambassador in London[1] demanded explanations as to the armaments in the river, and the warlike preparations in the northern counties, Elizabeth assured him of her intention to maintain the general peace so recently concluded,[2] and invoked the curse of heaven upon the heads of those who should be the first to break it. In a letter to Mary of Lorraine, who had asked for similar explanations, Elizabeth even assumed the language of injured innocence. She thought it much, she said, "that no surer account is made of her honour in this case," and that "her doings shall be always constant and agreeable to honour."[3]

Her admiral in Scotland, William Winter, was in-

[1] M. de Noailles. [2] At Cateau Cambresis, in April 1559.
[3] Elizabeth to the Queen-Dowager of Scotland, 28th November; Record Office.

structed to hold language of a similar kind. On his arrival in the Forth, a herald from the regent was sent on board his ship, to demand whether he came as an enemy or as a friend. Winter replied, according to his orders, that he had been commissioned to convoy certain transports laden with provisions to Berwick; that, finding no safe anchorage there for his ships, he had run into the Forth, expecting to meet with good and friendly entertainment; but instead of that, the French garrisons at Burntisland and Inchkeith had fired upon him "many cruel shot of cannon and culverin;" and, finally, that hearing of their great cruelty to the Congregation, he had determined to give them all the aid in his power, "*whereof the queen his mistress was nothing privy.*"[1] "The design is too transparent," was the very natural remark of the regent.[2] The remark will apply generally to the whole of the foreign policy of Elizabeth; for, with all her unrivalled powers of mendacity, she very rarely succeeded in deceiving any one except her friends.

The contest about to commence between these two remarkable women now called forth the intervention of a third, hardly less remarkable than either. The

[1] Addressed to the Privy Council, 25th January; Record Office.

[2] In her letter to De Noailles, the French ambassador in London. —Teulet, i. 408. Winter acted in strict accordance with his instructions from the Duke of Norfolk, who commanded in the north. These were, to aid the queen's friends, and to prevent any French ships from entering the Forth; "and this he must seem to do of his own head, as if he had no commission from the queen."—Instructions of Duke of Norfolk to Winter, 22d January 1560; Record Office. Cecil had previously desired Throgmorton to give the most pacific assurances to the French Government. "If," he says, "they shall ask whether she" (Elizabeth) "means to aid the Scots or no," he might assure them that at his departure no such thing was meant.—Cecil to Throgmorton, 30th December; Record Office.

Duchess of Parma, who governed the Netherlands in the name of her brother the King of Spain, had watched with deep interest the progress of events in Scotland; and we are at first surprised to find that, of the two parties then struggling for ascendancy, a Catholic and a Spaniard should have preferred the triumph of the Protestants to that of their opponents. But the reason is easily explained. The Duchess of Parma regarded with just apprehension the gigantic schemes of ambition cherished by the princes of Lorraine. If they succeeded in the attempt which they seemed about to make, of uniting the monarchies of France and Britain, she had too good reason to fear that the Netherlands,[1] and probably the empire of the Indies, would speedily be lost to Spain. She strongly urged her brother Philip, therefore, to put an end to the war in Scotland by means of friendly mediation, and thus prevent the triumph of the Protestants on the one hand, or of the Guises on the other. The advice, from a Spanish point of view, was so obviously sound, that it was approved both by the Duke of Alva[2] and his master. If the Spanish king had acted promptly in the matter, his intervention might have proved fatal to Elizabeth's meditated policy in Scotland. But his procrastinating habits enabled her to persevere, without giving any cause of just offence to Philip. When the Spanish envoy reached London with instructions to negotiate, he was informed, and he himself admitted, that the Queen of England could not then

[1] The Duchess of Parma to Philip, 6th January 1560.—Teulet, ii. 62.

[2] Duke of Alva to the Bishop of Arras, 20th March.—Ibid., ii. 75.

recede from her engagements, and that his master had interfered too late.[1]

While Elizabeth was thus secure on the side of Spain, events were taking place in France which effectually prevented any farther reinforcements being sent from thence to Scotland. The Protestant princes of the house of Bourbon regarded with the utmost jealousy the power and the ambition of the Guises; and Elizabeth, by the advice of Cecil, now began to pursue the same policy in France which she had commenced in Scotland. Throgmorton, her ambassador in Paris, was instructed to seek a private interview with Anthony de Bourbon, King of Navarre. They met, accordingly, at midnight, in the town of St Denis. The English ambassador commenced by informing the king that the queen his mistress entertained the highest esteem for his virtues, and was desirous of forming an alliance with him, "for the honour of God, and the advancement of true religion." The king well understood the meaning of this language, but he was cautious and reserved; and although he expressed his satisfaction at the prospect of an alliance with the Queen of England in so sacred a cause, he should prefer, he said, for greater security, to correspond directly with herself.[2] Shortly afterwards, a Huguenot gentleman named La Renaudie, a noted partisan of the Bourbons, proceeded to England, whence he returned with promises of aid as soon as the anticipated rising of the Protestants took place. At the same time, Elizabeth sent into Brittany a certain Captain Tremaine, to open up a communication with the Protestants of that pro-

[1] See his letter to the Duchess of Parma.—Teulet, ii. 113.
[2] Forbes, i. 174.

vince. Encouraged by the promises of help held out by the English queen, they convened a secret meeting at Nantes, and the famous conspiracy of Amboise was the result.

That plot, which had for its object the seizure of the young king and queen, the destruction of the house of Lorraine, and the usurpation of the government by the Bourbons, was detected and defeated by the vigilance of the Duke of Guise. The design of the conspirators was to assemble in large numbers in the neighbourhood of the Castle of Amboise, where the Court was residing, under the pretext of petitioning the king for a redress of grievances. Their ostensible chief was La Renaudie, but the real leader of the movement was the Prince of Condé, brother of the King of Navarre. On the 16th of March, a number of persons, chiefly peasants, but many of them armed, attempted to force an entrance into the royal residence. But the Duke of Guise had taken effectual measures to resist the attack, and they were speedily repulsed, leaving behind them some forty or fifty prisoners. These were treated with much humanity by Francis, who, along with Mary Stewart, was intended to have been made a prisoner, had the plot succeeded. The young king not only pardoned nearly the whole of the insurgents on the spot, but dismissed them with small presents of money.[1] It is probable that the conspirators attributed this amiable conduct on the part of Francis to the weakness or the disaffection of his guards, for they renewed the attack on the following

[1] Throgmorton, who was at Amboise at the time, says that the king gave them a crown apiece, and one man, who had been hurt, five crowns.—Forbes, i. 376.

day in much more formidable numbers. But they were speedily attacked and routed by the Duke of Guise. Condé and Coligni, who were both residing at the Court, were compelled, to avoid suspicion, to fight against their fellow-conspirators. Their tool, La Renaudie, was taken and hanged at the palace-gate, and a number of other executions followed the final discomfiture of the conspiracy.[1] Such was the prelude to those terrible wars of religion in France, which terminated only with the extinction of the house of Valois.

Although the Huguenot plot had failed, it proved of essential advantage to Elizabeth. By embittering the rival factions in France, it obliged the princes of Lorraine to look to their own security at home, instead of seeking to extend their influence abroad. Inflammatory libels began at this time to be circulated against them throughout France, and we find Throgmorton suggesting that some of these might be carried into Normandy and Brittany by the English merchants trading to those parts.[2] The English ambassador also speaks of a rumoured expedition of the Earl of Arran to the coast of France.[3] In the menacing aspect of affairs, therefore, it became impossible to send the reinforcements to Scotland which had been so long promised, and were so urgently required by the regent.

While Elizabeth and her ministers were thus endeavouring in secret to kindle the flames of civil war in France, a formal treaty had been concluded at

[1] Lingard, vi. chap. 1.

[2] "It will be well to make current the proclamation by means of merchants through Brittany and Normandy, to animate the people more against the house of Guise.'—Throgmorton to Cecil, 6th April; Record Office.

[3] Ibid.

Berwick [1] by the Duke of Norfolk in the name of his mistress and certain lords of the Congregation, in the name of the Duke of Chatelherault, "second person of the realm of Scotland," the express object of which was the expulsion of the French from that country. It must have been a severe trial to the pride of the English queen thus to be forced to place herself on a footing of equality with the rebellious subjects of a neighbouring sovereign; but she was now too far committed to the policy of Cecil to recede. She still, notwithstanding, sought to conceal her real intentions from the Scottish regent. She assured her, some days after the conclusion of the treaty, that "she means nothing more than good and sure peace, and all that she does is to that end." [2] She even gravely informed the regent in the same letter that, as she had complained of certain acts of hostility committed by the English admiral in the Forth, she had directed the Duke of Norfolk "to make inquisition into Winter's doings," although she was perfectly aware that Winter was acting under the express instructions of the duke.

Mary of Lorraine, undeceived by all this outward show of amity, was now in a position of extreme perplexity and danger. She had fully expected to be relieved from her onerous duties before this time, by the arrival of her two brothers in Scotland; and she had made arrangements for returning thereafter to her native country. But disappointment and disaster, instead of crushing seemed only to awaken all the

[1] On the 27th February.—Keith, i. 258.

[2] Elizabeth to Queen-Dowager of Scotland, 6th March; Record Office.

energies of that heroic nature. Although suffering from a mortal malady, abandoned by the whole of the principal nobility,[1] and deprived for an indefinite time of all prospect of aid from France, the regent bore up against the malice of her fortune with an intrepidity which never was surpassed. Indulging in no vain regrets—for her letters written at this time are free from all expressions of impatience or despondency—she sought to cheer the drooping spirits of her countrymen with the certain hopes of assistance in the summer. Her efforts were warmly seconded by D'Oysell their commander, a brave and experienced officer, who, in anticipation of a speedy and general attack upon Leith, took every available means of strengthening its defences.

On the 30th of March, an English army of 8000 men, under the command of Lord Grey, crossed the Tweed, in accordance with the treaty of Berwick. They were joined on their march to Edinburgh by the Earls of Arran, Argyll, Glencairn, and other leaders of the Congregation, with their followers. On the approach of the hostile armies, the regent retired to Edinburgh Castle, the governor of which, Lord Erskine, had observed a strict neutrality in the contest, and who now deemed it his duty to offer an asylum to the mother of his sovereign. The English encamped at Restalrig, about a mile south-east of Leith; but Lord Grey soon found that his Scottish allies were in want of everything necessary for a siege. Above all, they wanted money, which he could not spare, and without which the feudal vassals of the

[1] Bothwell was at this time in France, and the Lords Seton and Borthwick alone, among the nobles, adhered to the regent.

Protestant lords could not be maintained in the field. The English commander found, moreover, that the defences of Leith were stronger than he anticipated; and, to crown his difficulties, Elizabeth began to waver in her resolution of prosecuting the war. On the 5th of April, Grey writes to the Duke of Norfolk, who still remained at Berwick, that "he knows not which way to turn,"[1] and that the queen seemed now desirous that the matter should be ended without bloodshed.

As the regent was all along anxious for the restoration of peace, it is probable that hostilities might even yet have been avoided, but for the reckless gallantry of her countrymen. On the 6th of April, a portion of the garrison of Leith was seen advancing towards the English camp. The leaders were warned, by a message from Lord Grey, to retire; but they replied, in terms of proud defiance, that they were upon the territory of their mistress, and were ready and able to resist all armed invaders. They then forthwith opened fire on the English outposts, and a sharp conflict ensued. The latter were completely taken by surprise, but they maintained their ground with comparatively little loss, until a body of horse from the Congregation turned the scale against their assailants, who were eventually driven back to their intrenchments, leaving behind them upwards of 100 men.[2] The siege was now commenced in earnest, and in their next adventure the French were more successful. On Easter Monday, the 14th of April, an attack was made on the besiegers by the Count de Martigues, the only person of note in the ill-fated expedition of the

[1] Record Office. [2] Ibid.

Marquis of Elbeuf who appears to have reached Scotland; and the affair was managed with such skill and courage, that he inflicted on the enemy a loss of 600 men, besides destroying several of their heavy guns.[1]

Although blood had been thus freely shed, there was now a fresh attempt at negotiation. A few days after the last successful sally of the French, John de Monluc, Bishop of Valence, arrived in Edinburgh with full powers from his mistress and her husband to negotiate a peace. On visiting the queen-regent in the castle, he was shocked at the change in her appearance. In writing to her daughter on the following day, he says: "The health of the regent has failed her; so has all else, save the greatness of her heart and the clearness of her judgment. She dreads these troubles as little as if she had all the forces in the world at her back."[2] On meeting with the English and Scottish lords, the bishop proposed that a peace should be concluded by the withdrawal of the French from Scotland, with the exception of a limited number of troops to garrison Inchkeith, Dunbar, and Leith. The English leaders, Lord Grey and Sir James Croftes, advised the Congregation to accept the terms; or, as they expressed themselves, "finding the execution of the enterprise against Leith not so easy as was supposed, lacking sufficient power of men, they pressed the Scottish lords to be content to fall to some accord."[3] But Maitland did his utmost to thwart the compromise proposed. He knew that it would be unsatisfactory to Cecil; and it suited neither his own views nor

[1] Keith, i. 272.
[2] Calendar of State Papers (Foreign), 1559, Preface.
[3] Grey and Croftes to Norfolk, 22d April.

those of the Lord James Stewart, both of whom, as well as their potent English ally, desired the total expulsion of the French. The arguments of Maitland finally prevailed, and hostilities were forthwith recommenced. Elizabeth by this time had once more changed her mind, for in writing to the Duke of Norfolk on the 14th of April she says, "the more hardly the Frenchmen were handled in the siege the better;"[1] and a reinforcement of upwards of 2000 fresh troops having arrived in the camp, it was resolved to proceed with the siege with the utmost vigour. The fire of four-and-twenty heavy guns was directed for several successive days and nights against the walls of Leith, and orders were issued for a general assault as soon as the breaches were rendered practicable.

At daybreak on the 7th of May, accordingly, 10,000 English and Scottish soldiers, with 500 sailors from the fleet, advanced to the assault. The storming parties passed the ditch without difficulty, but they found it impossible to ascend the breaches, and the scaling-ladders with which they were provided were too short to be of any service. The French were fully prepared for the attack, and even the women[2] of the garrison were of essential service in repelling the besiegers, who, after a stubborn but unavailing struggle of several hours, were driven back at all points, with

[1] Record Office.

[2] "For besides that they charged their pieces, and ministered unto them other weapons, some continually casting stones, some carried chimneys of burning fire, and some brought timber and impediments of weight, which with great violence they threw over the wall upon our men, but especially when they began to turn back."—Knox's History, 243, folio edit.

the loss of 1500 men.[1] It is said that the queen-regent watched the progress of the fight from the battlements of the castle, which commanded a complete view of the ground occupied by the contending forces; and Knox relates with indignant scorn, that after witnessing the victory of her countrymen, she immediately attended mass.[2]

It was indeed a proud day for France. A handful of half-famished veterans, entirely cut of from all communication with their country, had triumphantly repulsed the entire military power of Britain. There were loud complaints of mismanagement both by and against the English commanders; and Lord Grey was ungenerous enough to attribute to the cowardice of his men a result which was clearly due to his own incompetence.[3] Another incident which happened shortly afterwards reflects but little credit on the English general. The malady under which the regent was suffering had now assumed the form of dropsy, and she applied to the commander of the garrison in Leith to send her a surgeon. But her letter was intercepted by Lord Grey, and, alas for the boasted days of chivalry! he committed the letter of the sick princess to the flames. We are told by Knox,[4] that when it was held to the fire, it was found to contain some

[1] The Spanish ambassador in London says, the assailants were hotly pursued during their retreat, and that they lost several guns.—Teulet, ii. 128.

[2] Knox's History, 224.

[3] Lord Grey himself writes to Norfolk on the 4th of May, that "no assaultable breach has yet been made;" yet on the same day the orders for the assault were issued.—Public Record Office. On the 8th, the day after the assault, Norfolk writes to Cecil: "The thing was marvellously ill handled, for there was no breach saultable—no scaling-ladders long enough by two yards and more."—Ibid.

[4] History, 246.

private message to D'Oysell. But this circumstance is not mentioned by Lord Grey himself, or by any of the numerous correspondents from the camp; and even if it were true, it could afford no justification for his conduct.

The queen-regent appears to have regarded with characteristic equanimity both the ungallant behaviour of her enemies and the triumph of her troops. She was neither irritated by the one nor unduly elated by the other. On the 17th of May, she writes to D'Oysell "that she is better, and that she has been her own physician as well as surgeon."[1] At the same time, she made another and a last attempt to come to terms with the insurgents. Maitland explained that nothing but the entire withdrawal of the French from Scotland would induce the Allies to consent to peace. To this demand the regent now expressed her readiness to yield. Experience had convinced her, that so long as a French force remained in Scotland there could be no permanent peace. And although her brother, the Duke of Guise, had assured her that she might confidently expect ample reinforcements in July, she took upon herself, now that the military honour of France was saved, to accede to the hard terms offered by the Congregation. But there was one obstacle to the restoration of peace which was found to be insuperable. "The regent," says Maitland, "could in no wise digest the compact made with England."[2] It was indeed impossible that she could recognise the right of her daughter's rebellious subjects to conclude a treaty with a foreign power. Upon this point Mary

[1] Record Office.

[2] In his letter to Cecil of 14th May; Record Office.

of Lorraine was resolute; and as the Scottish lords were too deeply committed to the policy of England to recede from their engagements, the negotiations were finally broken off.

Meanwhile the failure of the assault not only put an end to active operations, but fears began to be entertained for the safety of the besiegers. Sir Ralph Sadler, who had joined the camp, in writing to the Duke of Norfolk for immediate reinforcements, assures him "that if the enemy knew their weakness, it might be over-dangerous."[1] It was now calculated that a fresh army of 20,000 men would be required to expel the French from Scotland. But Elizabeth at this time had neither the inclination nor the means of furnishing so large a force. She did consent that additional troops should be sent to Scotland; but, at the same time, she accused her ministers of having involved her in difficulties and dangers, which, from the first, she had foreseen. As Cecil had been the chief adviser of the expedition, she insisted, by way of retribution, that he should proceed at once to Scotland, and endeavour to repair, if possible, the mischief that had been done to the character of her policy and the credit of her arms. Cecil was compelled, though with much reluctance, to comply with the commands of his imperious mistress; and the result proved that she was not mistaken in the selection she had made.

Mary of Lorraine was still regarded as the main obstacle to the success of the Protestants in Scotland. A letter from Throgmorton, which reached Cecil while on his journey northwards, contained the following words: "For the love of God, provide by one means

[1] On the 7th May; Record Office.

or another that the queen-dowager were rid from thence" (Edinburgh Castle), "for she hath the heart of a man of war."[1] But Throgmorton's fears were now groundless, for, while he wrote, the regent was on her deathbed. In spite of shattered health and hopes, she had steadfastly maintained her post, inspiring all around her with that confidence in the final success of her daughter's cause which she herself had never ceased to feel; but she paid the penalty of her devotedness at last. Finding that her end was approaching, she expressed a wish to speak with the chiefs of the Congregation; and the Duke of Chatelherault, the Earls of Argyll, Glencairn, and Marischal, and the Lord James, repaired to her apartments in the castle. To them she expressed her deep sorrow for the troubles which afflicted Scotland; and, as the best means of restoring peace, she earnestly recommended that the forces both of France and England should be withdrawn. She then reminded the lords of the ancient league with France, and of the youth and inexperience of her daughter, which furnished additional claims upon their loyalty. For herself, she asked only their forgiveness if she had erred in the performance of her duties, or if she had ever at any time given any one of them just cause of offence. The words of the dying princess, at once so magnanimous and gentle, were listened to with deep emotion by the Protestant chiefs, who, though in arms against her authority, all acknowledged and admired her private virtues. As the last and only means of testifying their affection, they entreated her to receive a visit from their favourite preacher, Willock; and she

[1] June 7; Record Office.

showed her immeasurable superiority to the prejudices of her race and her religion by complying with their request.[1] Thus died, amidst the tears of her enemies, the best and wisest woman of the age. Knox[2] alone sought, by means of the most loathsome slanders, to vilify the character of this excellent princess; and it was doubtless at his instigation that the rites of Christian burial were denied to her remains in Scotland.

A few days after the death of the regent, Cecil arrived in Edinburgh, accompanied by an experienced diplomatist, Dr Wotton, Dean of Canterbury. The English secretary soon discovered that the two most important members of the Congregation were Maitland and the Lord James; the one from his political talents —the other from the zeal and courage he had displayed in the Protestant cause, as well as from his near relationship to the queen. Mary and her husband named as plenipotentiaries to treat with the representatives of Elizabeth the Bishop of Valence and Charles de la Rochefoucault, Lord of Randan. During the negotiations which followed, the English troops had various friendly meetings with the garrison of Leith, whose gallantry they could not but admire, but whose hospitality they had no desire to share.[3]

[1] "She is well content to speak with Mr Willocke, who is presently with her."—Randolph to the Duke of Norfolk, 8th June; Record Office.

[2] "The question was moved of her burial: the preachers boldly gainstood that any superstitious rites should be used within that realm."—Knox, 281. In another part of his history, he asserts that she was the mistress of Cardinal Beaton, and even that the cardinal was the father of Mary. He further insinuates that she was the mistress of D'Oysell, &c.

[3] On the first occasion of their meeting on Leith sands, the English produced abundance of good cheer, in the shape of beef, capons, beer, and wine. The French produced one starved capon and half-a-dozen

Cecil was well aware of the shortness of provisions in the French camp; and he calculated that Winter's fleet would be able to intercept any fresh supplies. There was only one quarter whence danger might still be apprehended. Catherine de Medici had about this time addressed the Court of Spain, complaining of the treacherous policy of Elizabeth, and pointing out the dangers which threatened both France and the Netherlands if "the heretics of Scotland"[1] succeeded in their insolent demands. Spain might still, therefore, be induced by these representations, backed by the influence of the Duchess of Parma, to interfere, and thus arrest that thorough triumph of Protestantism in Britain, upon which the English secretary had set his heart. But Philip, as usual, was silent and sluggish; and although Cecil had no military force at his command sufficient to expel the French, he felt secure from foreign intervention, and was thus enabled to assume a tone of superiority[2] towards their representatives which finally induced them to accede to all his demands.

The principal conditions of the treaty of Edinburgh, which was signed on the 5th of July, were, that the Queen of Scots and her husband should, in "*all times coming*, abstain from using and bearing the title and arms of the kingdom of England;" that during the

roasted rats, and they boasted that they had abundance of such fare.—Record Office.

[1] Catherine de Medici to the Duke of Alva, 21st May.—Teulet, ii. 140.

[2] Writing to the Duke of Norfolk on the 26th of June, he says, "I have gotten more by bragg than by eloquence;" and on the 2d of July he speaks of "a brawling message" which he had sent to the Bishop of Valence, which appears to have had the desired effect, for the treaty was signed three days afterwards.—Record Office.

absence of Mary in France the government of Scotland should be administered by a council partly named by her, and partly chosen by the States of the kingdom; and, finally, that the forces both of France and England should forthwith return to their respective countries. But with regard to the leaders of the Congregation a serious difficulty arose. On the one hand, Elizabeth was bound to protect them against the consequences of their rebellion; on the other, it was very doubtful whether the French commissioners had any authority from their sovereigns to come to terms with the Scottish insurgents. Cecil, however, succeeded in obtaining on their behalf a series of "concessions,"[1] amounting, in fact, to a complete amnesty for their past conduct; and the French commissioners stipulated that these concessions should be ratified by their sovereign in the same manner as the provisions of the treaty. Within a few days after it was signed, the troops both of England and France[2] quitted Scotland.

Sir Nicolas Bacon had objected to the Scottish expedition among other reasons, because England possessed at the time no efficient commanders;[3] and the complete failure of the military operations at Leith seemed to justify the opinion of the Lord Keeper. It was reserved for Cecil to repair, by a signal diplomatic triumph, the blunders of his military colleagues; and he was justly proud of his achievement. His language,

[1] Keith, i. 296.

[2] From a paper in the Record Office, dated Aug. 3, p. 3, we learn that the total number of French troops in Scotland at this time was 3613. But these had to garrison Dunbar, Inchkeith, and Eyemouth, as well as Leith.

[3] See his speech, already referred to, p. 32.

usually so cold and measured, assumes on this occasion a tone of exultation proportioned to the decisive nature of the treaty he had just concluded. "It would finally procure," he confidently assures his mistress, "that conquest of Scotland which none of her progenitors with all their battles ever obtained; namely, the whole hearts and goodwill of the nobility and people."[1] That sagacious minister did not overrate the importance of the negotiations in which he had been so successfully engaged. Ages of inveterate war and of far-reaching policy had hitherto failed to unite the British kingdoms, but religious sympathy at length promised to bring about that which had baffled the power and skill of the greatest monarchs. Cecil well knew that if Scotland remained Catholic, the prospects of a peaceful union were more than ever hopeless.

Elizabeth owed even more to her good fortune on this occasion than to the prudence and dexterity of her favourite minister. A singular fatality attended all the movements of her enemies. The succession of disasters which befell the French armaments at sea, and the impossibility at the time of supplying their loss—the procrastinating policy of Philip—and, finally, the death of Mary of Lorraine—were circumstances which all essentially contributed, and perhaps were all indispensable, to her success.

The commissioners of Francis and Mary, among their other concessions to the Congregation, consented that the States of the kingdom should assemble on the 10th of July, and that on that day an adjournment should take place until the 1st of August. The interval of three weeks was fixed to enable the French

[1] Quoted by Tytler, v. 128.

commissioners to communicate to their sovereigns the conditions of the treaty they had concluded, and to enable them to summon the Parliament in the ordinary form. But Francis and Mary refused to ratify the treaty of Edinburgh, mainly on the ground that their undertaking not to wear the arms or assume the title of England "in all times coming" might bar the claim of the Queen of Scots even after the death of Elizabeth; and the words had no doubt been introduced by Cecil with that intent. Neither did the Queen of Scots and her husband give their assent to the proposed meeting of Parliament, so that the Convention of States which met in August 1560 was possessed of no lawful authority.

The nobility, the barons, and the burgesses assembled, notwithstanding, in large numbers on the appointed day; but as no representative appeared, and no commission was sent on the part of their sovereigns, many were of opinion that the meeting of the States was unlawful. A whole week was spent in discussing this essential point, but it was eventually decided by a large majority that the Parliament was legally constituted. This matter being settled, they proceeded to elect "the Lords of the Articles," a committee through which all measures required to be submitted to a Scottish Parliament.[1] A petition was then presented by a number of the Reformers, praying that the doctrines which were tyrannically maintained by the Papists should be forthwith denounced and abolished. The petition further declared, "that in all the

[1] The mode in which the Lords of the Articles were chosen is thus described by Randolph: "The order is that the lords spiritual choose the lords temporal, and the lords temporal the spiritual, and the burgesses their own."—Letter to Cecil, 8th August; Record Office.

rabble of the clergy there was not one lawful minister according to the word of God." It denounced them "as thieves and murderers, rebels, traitors, and adulterers," and called upon Parliament to pronounce them as unworthy of authority in the Church of God, and to expel them for ever from the great council of the nation. The petition concluded by demanding, first, that various doctrines of the Roman Catholic Church, including transubstantiation, the practice of granting indulgences, and purgatory, should be abolished; secondly, that the profanation of the holy sacraments be prevented, and the discipline of the ancient Church restored; and, lastly, that the Pope's usurped authority should be abolished, and the patrimony of the Church employed in the sustentation of the ministry, the establishment of schools, and the maintenance of the poor. With regard to the first two points no difficulty was experienced. In the course of a few days a new Confession of Faith was drawn up, and adopted with only three dissentient voices.[1] An Act was then passed abolishing the mass under the most stringent penalties. Offenders were in the first instance to be scourged, and to forfeit the whole of their property of every description; for the second offence, the punishment was perpetual banishment; and for the third, it was death. Another Act was passed abolishing the authority of the Pope within the realm; but to that portion of the petition which prayed for the restoration of the patrimony of the Church to the purposes to which it was originally designed, no attention was

[1] "The Earl of Atholl and the Lords Somerville and Borthwick alone dissented, saying 'they would believe as their fathers before them had believed.' The Popish prelates were silent."—Spottiswoode, 327; Keith, i. 321.

paid. The Protestant nobles, who had seized upon the Church lands in the general confusion, were prepared to proceed to any extremities against their Catholic fellow-subjects, but they refused to part with the smallest portion of their newly-gotten wealth. Knox, speaking on this occasion of his noble patrons, observes "that there were many that for worldly respects abhorred a perfect reformation; for how many within Scotland that have the name of nobility are not unjust possessors of the patrimony of the Kirk?"[1]

The Convention of States, improperly called a Parliament, which without any lawful authority had abolished the ancient religion and established a new form of worship in its stead, separated on the 27th of August 1560.

[1] History, 239.

CHAPTER II.

THE RETURN OF MARY TO SCOTLAND.

THE government of Scotland was now entirely in the hands of the Protestant nobility, who, enriched with the spoils of the Church, and enjoying the powerful support of the Queen of England, seem at this time to have renounced, in everything except in name, the authority of their native sovereign. After the adjournment of their so-called Parliament, they despatched the Earls of Morton[1] and Glencairn, along with Maitland of Lethington, on a special mission to Elizabeth, to thank her for her timely intervention, and to make a formal proposal for her marriage with the Earl of Arran. Before taking this important step they had announced their intention to the King of France;[2] but without asking or obtaining the consent of Francis and his queen, they proceeded at once to the execution of their design. They had already secured the cordial support of Cecil,[3] who saw in the projected marriage

[1] Morton was a son of that Sir George Douglas, and a nephew of that Earl of Angus, who had taken refuge in England in the time of James V. Morton, although professing Protestantism, had remained in retirement at Dalkeith until the arrival of the English army in Edinburgh induced him to join the Congregation.

[2] Teulet, ii. 150.

[3] Haynes, 359, 362, 363.

the best guarantee for the maintenance of the Reformation, and the best prospect of defeating the dangerous claims of Mary Stewart.

Elizabeth received the Scottish deputation with all courtesy. She spoke in flattering terms of the Earl of Arran, but concluded by declaring that she was content with her maiden state, and that God had given her no inclination to marriage. The representatives of the Congregation did not think fit to renew their offer, at which the queen was much offended. There is no reason for supposing that she ever seriously entertained the notion of marrying the Earl of Arran; but she complained that, while kings and princes persevered for months and even years in their suit, these Scots did not deign to ask her a second time.[1]

While the Scottish lords sent two of their most important members and their ablest statesman to the Court of Elizabeth, they despatched a single knight, Sir James Sandilands, to Paris, to acquaint their own sovereign with their proceedings. By him Mary was informed that the States of Scotland had been convened without her authority, and that the exercise of the religion which she professed had been prohibited under the pain of death. The Cardinal of Lorraine warmly complained to Throgmorton of these lawless proceedings, and of the studied indignity with which the Scottish lords treated their mistress, by sending to her as their representative "a mean man," while to the Queen of England they despatched "a great and solemn legation."[2] Sir James Sandilands was further informed that the "concessions" in favour of the lords, which had been extorted by Cecil from

[1] Haynes, 364.

[2] See Tytler, v. 151.

the French commissioners, were wholly invalid, as the latter had no authority to grant them.

But the death of Francis II., who had always been a sickly youth, proved shortly afterwards a serious blow to the influence of the cardinal and that of his aspiring family. The young king died on the 6th of December, and the event was hailed with indecent exultation by the leaders of the Congregation, who did not hesitate to announce it as a special interposition of Providence on their behalf.[1] They concluded that the last link of the old alliance between France and Scotland was now for ever broken, and that the princes of Lorraine would find sufficient occupation in struggling to maintain their influence at Court, and in watching the Huguenot conspiracies which had been provoked by their ambition. Catherine de Medici now regained the influence which she had lost while Mary Stewart was queen. Catherine was wholly indifferent to religion, except as an instrument of government; but even her powers of dissimulation could not conceal the satisfaction with which she witnessed the diminished rank and influence of her accomplished daughter-in-law. Mary, whose health had been impaired by her close attendance upon her husband during his last illness,[2] remained for some months in

[1] "He was suddenly stricken with an aposthume in that deaf ear that never would hear the truth of God."—Knox, 259.

[2] "On the 6th December the king departed to God, leaving as heavy and dolorous a wife as of right she had good cause to be, who by long watching with him during his sickness, and painful diligences about him, and especially by the issue thereof, is not in best tune of her body, but without danger."—Throgmorton to the queen, 6th December; Record Office. Notwithstanding this unimpeachable testimony, Mr Froude asserts that before her husband's body was cold, Mary "was speculating on her next choice."—Vol. vii. 300.

retirement, and she had the singular good fortune, so long as she continued to reside in France, to escape calumny of every description. Yet long afterwards, when she was a prisoner in England, it was confidently asserted by her enemies that she had murdered her first husband in France, as well as her second husband in Scotland.[1]

The work of the Reformation in Scotland now proceeded without the prospect of interruption from any quarter, and in the early part of the following year a Convention of States approved generally of the Book of Discipline, composed by Knox. To his plan of ecclesiastical policy, including the abolition of bishops and the election of ministers by the people, a ready assent was given. But it was in vain that he attempted to obtain any settled provision for the clergy out of the confiscated Church lands. He has even the candour to admit that some of the Reforming nobles were much more oppressive landlords than their Popish predecessors.[2] It is but just to add that the establishment of parish schools,[3] and a plan for the maintenance of the helpless poor, formed portions of his general scheme.

[1] This story is told by Dr Thomas Wilson, a friend of Cecil, and Wilson gave as his authority the Bishop of Ross, one of Mary's most zealous advocates. The matter may be dismissed as utterly ridiculous, for all the world know that the death of Francis not only deprived Mary of the crown of France, but compelled her to leave the country to which she was so strongly attached.—See Murdin, 57.

[2] "To our grief, we hear that some gentlemen are now more rigorous in exacting the tithes and other duties paid before to the Church than ever the Papists were; and so the tyranny of priors is turned into the tyranny of lord or laird."—Spottiswoode, i. 352.

[3] "We judge that in every parish there should be a schoolmaster, such a one as is able, at least, to teach the grammar and Latin tongue."—Spottiswoode, i. 345.

But while allowing Knox all credit for his honest zeal, and still more for his enlightened views respecting the education of the people, we must not suppose that the remarkable success which from first to last attended his efforts had in the slightest degree diminished his blind hatred of his religious rivals. Nearly two years had elapsed since war had been declared against the monastic houses in the central counties of Scotland; but in the other districts of the country, north, south, and west, numbers of religious establishments still remained—a standing reproach to all true Reformers. It was now resolved that this reproach should exist no longer; and an Act—it was so called by its authors—was passed for the total destruction of those remaining monuments of superstition. This barbarous edict was obeyed to the letter. All that was most venerable in architecture and valuable in art at that time in Scotland was ruthlessly assailed. The libraries[1] and ancient records contained in the religious houses—nay, even the tombs of the dead—did not escape the general wreck. There is nothing in all history to be compared with this exhibition of fanatical fury. No invading army ever committed such merciless havoc in the territory of an enemy. No people ever before or since deliberately destroyed, with all the formalities of law, the monu-

[1] "The registers of the Church and bibliotheques were cast into the fire. In a word, all was ruined; and what had escaped in the time of the first tumult, did now undergo the common calamity, which was so much the worse that the violences committed at this time were coloured with the warrant of public authority."—Spottiswoode, i. 372. We are informed by the same authority that the work of destruction was superintended in the north by the Lord James; in the west, by Earls of Arran, Argyll, and Glencairn; and in other parts, by "some barons that were held most zealous."—Ibid.

ments of art and industry bequeathed to them by their own ancestors.

In the midst of these dismal scenes, two envoys sailed for France to invite the widowed queen to return to her native country. The Catholic party sent for this purpose John Leslie, afterwards the celebrated Bishop of Ross; the Protestants were represented by the Lord James Stewart, the natural brother of the queen. The Lord James was received with extreme cordiality as well by his sister as by her uncles, who sought by the most flattering offers of preferment in France to induce him to resume his original profession of the Church. But he remained faithful to his new convictions; nor does there appear to be any ground for doubting his sincerity. We find, however, that his spiritual zeal did not render him by any means indifferent to his temporal welfare. Although he refused all offers of ecclesiastical preferment in France, he had previously sought, through his sister's influence, to obtain a restoration of his pension from that country, which had been discontinued during the religious war in Scotland.[1]

A charge of a much more serious kind has been made against the Lord James. He had visited the Court of Elizabeth on his way to France; and it is asserted that, after having insinuated himself into his sister's confidence and ascertained her real wishes and

[1] "Whereas Lord James, Bastard of Scotland, had out of a bishopric and abbey of this country yearly 2500 crowns, he has made suit to the king and queen both for the arrears and the continuance thereof. The queen has answered, that if he accomplish her favour according to the trust she has of him, he shall not only regain this, but also all the good favour that shall be showed him, whether he dispose himself to be ecclesiastical or temporal."—Throgmorton to Cecil, 29th November 1560; Record Office.

intentions, he immediately thereafter communicated them to the English queen. The evidence of this charge is contained in a letter of Throgmorton, who was still at this time ambassador in France. Mary had told her brother, among other matters, that she had no intention at that time of ratifying the treaty of Edinburgh—that she preferred the friendship of France to that of England—and that she would prefer marrying a foreign prince to any of her own subjects. She was at this time at Rheims, where the Lord James took his leave of her; but on his arrival in Paris he immediately communicated all to Throgmorton. In a letter to Elizabeth the ambassador describes the interview as follows: "The Lord James being the same day, the 22d of April, arrived at this town, came to my lodgings *secretly unto me*, and declared unto me at good length all that had passed between the queen his sister and him, and between the Cardinal Lorraine and him, the circumstances whereof he will declare to your majesty particularly when he cometh to your presence. I suppose he will be in England about the 10th or 12th of May."[1] In the same letter Throgmorton plainly informs his mistress how, in his opinion, the services of the Lord James, in thus performing the office of a spy, ought to be rewarded. He says that, in the present state of Europe, he sees no danger likely to arise to Elizabeth except from the side of Scotland; and to guard against that, he recommends that she should win over to her party "the wisest, mightiest, and most honest of that nation." "And though," he adds, "if it be to your majesty's great charge as £20,000 yearly, yet it is to be in no

[1] See Tytler, v. 179.

wise omitted or spared." Then, after recommending the Earl of Arran, he adds, "And in like manner the Lord James, whose credit, love, and honesty, is comparable, in my judgment, to any man in that realm." Again he says, "I do well perceive the Lord James to be a very honourable, sincere, and godly gentleman, and very much affected to your majesty, upon whom you *never bestowed good terms better* than on him, in my opinion."[1]

From the latter expression it would appear that Elizabeth had already given the Lord James some substantial proof of her regard; and it is obvious from his conduct at this time that he was desirous of securing a pension as well from Protestant England as from Catholic France.

At no period of her career did Mary appear to greater advantage than during her widowed life in France. Deprived in the course of a few months both of her mother and her husband, openly slighted by Catherine de Medici, and even to some extent neglected by her uncles, who were at this time too fully occupied with the affairs of France to give much of their attention to those of Scotland, she was at the age of eighteen thrown almost entirely upon her own resources. Yet she not only conducted herself with the utmost prudence, but she proved herself no unworthy antagonist in negotiation with one of the wisest of Elizabeth's counsellors. It is from Sir Nicolas Throgmorton himself that we learn these particulars, and his letters clearly show that early acquaintance

[1] See the letter in Tytler, v. 180. On the 6th of May Elizabeth replies to Throgmorton: "We mean," she says, "to use the Lord James to his contentation."—Record Office.

with adversity had both sharpened and strengthened her excellent natural abilities. Religion was one of the first subjects discussed between them. Throgmorton had no doubt been instructed to sound her real sentiments upon this essential point; and it would have been easy for Mary, with a view to the English succession, if she had been as dishonest as her enemies assert, to have expressed herself in a way so as to induce him to believe that a change might possibly take place in her opinions. But she stopped the English ambassador at once by a frank avowal of her faith. "I will be plain with you," she said; "the religion which I profess, I take to be the most acceptable to God; and, indeed, neither do I know, nor desire to know, any other. I have been brought up in this religion, and who might credit me in anything if I might show myself light in this case?" and she concluded the conversation with these words: "You may perceive that I am none of those that will change my religion every year; and as I told you in the beginning, I mean to constrain none of my subjects, but would wish they were all as I am; and I trust they shall have no support to constrain me,"[1]—a pointed allusion to Elizabeth's unprecedented intervention in Scotland, to which her ambassador made no reply.

Mary, having now determined to return to Scotland, had applied to Elizabeth for a safe-conduct, as well to insure her from capture during the voyage, as to enable her to land in England in case of need. It happened that the request was made by D'Oysell, who had so successfully defended Leith, and who had subsequently become Mary's minister in London. Eliza-

[1] Throgmorton to Elizabeth, 23d June.—Keith, ii. 33.

beth not only rejected the request on the ground that the Queen of Scots had refused to ratify the treaty of Edinburgh, but she either was, or affected to be, extremely indignant that any such request was made; and her tone and gestures were remarked by a number of persons who happened to be present.[1] At the next interview of Throgmorton with Mary, she complained in warm terms of the want of courtesy exhibited by her sister queen. "It seemeth," she said, "she maketh more account of the amity of my disobedient subjects than she doth of me their sovereign, who am her equal in degree, though inferior in wisdom and experience, her nearest kinswoman and her nearest neighbour. But, Mr Ambassador, it will be thought very strange amongst all princes and countries that she should first animate my subjects against me; and, second, being a widow, to impeach my going into my own country. I ask her nothing but friendship. I do not trouble her state, nor practise with her subjects. The queen, your mistress, doth say that I am young and do lack experience; but I trust that my discretion shall not so fail me, that my passion shall move me to use other language of her than it becometh of a queen and my nearest kinswoman."[2]

This allusion to the unseemly violence exhibited by Elizabeth was so pointed, that we are surprised to find Throgmorton repeating it thus to his mistress, word for word. With respect to the treaty of Edinburgh,

[1] D'Oysell told Throgmorton that Elizabeth threatened to prevent Mary returning to Scotland at all. The English ambassador remarks, "It would have been better had no such things been said, and passage granted."—Throgmorton to Cecil, July 26; Record Office. Cecil, we shall find, appeared to be of a different opinion.

[2] Letter of 20th July.—Keith, i. 47.

Mary informed the ambassador that it was impossible she could ratify it without first consulting the nobility and States of Scotland. "The matter," she said, "is great—it toucheth both them and me; and in so great a matter, it were meet to use the advice of the wisest of them. The queen, your mistress, saith that I am young; she might say that I were as foolish as young, if I would, in the state and country I am in, proceed to such a matter of myself without any counsel." Throgmorton next referred to her wearing the arms of England, but Mary was equally ready with a reply: "Mr Ambassador," she said, "I was then under the commandment of King Henry my father, and of the king my lord and husband; and whatsoever was then done by their order and commandment, the same was in like manner continued until both their deaths—since which time, you know, I neither bore the arms nor used the title of England."[1]

But in spite of the spirit and self-possession which she displayed in presence of the English ambassador, the young queen did not seek to hide from him her sense of the difficulties and perils which lay before her. She trusted that the wind might prove favourable; but if not, and she was driven on the English coast, his mistress would have her in her power. "And if," continued Mary, "she be so hard-hearted as to desire my end, she then may do her pleasure. Peradventure that might be better for me than to live."[2] Never were anticipations of a dismal future more cruelly fulfilled.

Although the Protestant chiefs had, through their representative, the Lord James, invited, with profound

[1] Keith, ii. 47. [2] Ibid., ii. 51.

expressions of loyalty, the queen to take up her residence in her native country, we have abundant proof that they were in reality opposed to her return. In a letter addressed by Maitland to Cecil about this time, he informs the English secretary that there is no danger of any breach of peace between the two realms so long as the queen is absent; "but her presence," he adds, "may alter many things." Randolph, who was now the English resident in Edinburgh, writes in the same strain. "I have shown your honour's letter," he writes to Cecil, "unto the Lord James, Lords Morton and Lethington. They wish, as your honour doth, that she might be stayed yet for a space; and if it were not for their obedience' sake, some of them care not though they never saw her face."[1] The same language is held by Cecil, who, on the 12th of August, after Mary had sailed, writes to the Earl of Essex: "The Scottish queen was, the 10th of this month, at Boulogne, and meaneth to take shipping at Calais. Neither those in Scotland *nor we here do like her going home.* The queen's majesty hath three ships in the north seas to preserve the fisheries from pirates. *I think they will be sorry to see her pass.*"[2] It is asserted by Camden that the Lord James, after inviting his sister to return to Scotland, instigated the English ministers to intercept her on the high seas;

[1] Printed in Robertson, iii., Appendix, 287. The real name of the English resident was "Thomas Randall." He seems to have become acquainted with the Earl of Arran at Geneva, and he afterwards accompanied or followed him into Scotland, where he remained for some time a guest of the Hamiltons. Before Mary's return he had been appointed permanent resident, and adopted the name of "Randolph," probably because he was so called in Scotland. Elizabeth and Cecil always called him by his proper name of "Randall."

[2] Wright's Elizabeth, i. 69.

and the tone of Cecil's letter would lead us to suspect that such was their intention.

It would have been a harsh proceeding, but it might have been justified by a rigorous application of the law of nations, as understood and practised in the sixteenth century. Mary had refused to ratify the treaty of Edinburgh; she was unprovided with a safe-conduct, and she therefore might be treated as a public enemy. These considerations, with the undoubted aversion of the Protestant party, both in England and in Scotland, to the return of the Queen of Scots to her dominions, and the presence of an English squadron in the North Sea, make out, at least, a case of strong suspicion against the enemies of Mary. And this suspicion is not diminished by a subsequent letter from Cecil, in which he expresses himself as follows: "The 19th of this present [month], early in the morning, the Scottish queen arrived at Leith with her two galleys. The queen's majesty's ships that were upon the seas to cleanse them from pirates saw her and saluted her galleys, and, staying her ships, examined them of pirates, and dismissed them quietly."[1] But Castelnau, who was on board the queen's galley, tells quite a different story. He says that they were in some alarm lest they should be taken by the English ships of war, of which they came in sight during the voyage; but they found that the queen's galleys sailed so much faster that the former could not have overtaken them.[2] Castelnau says nothing of the salute mentioned by Cecil, and Cecil is silent as to the significant fact that one of the transports belonging to the Queen of Scots, and conveying the Earl of

[1] See Keith, ii. 59, note. [2] Castelnau Mémoires, lib. III. chap. i.

Eglinton and his attendants, was actually taken and detained by the English squadron.[1] This latter circumstance, considered with reference to the known wishes both of Cecil and the Congregation, will probably lead the reader to conclude that it was the intention of Elizabeth and her ministers to make a prisoner of the Scottish queen at this time, if they had succeeded in intercepting her.

An incident occurred immediately on Mary's arrival in Scotland which afforded her an insight into the character and habits of the people of her native kingdom.

The ascetic doctrines of the Reformers appear at first to have been regarded with extreme dislike. The entire devotion of Sunday to religious observances was especially distasteful to the inhabitants of the towns, and a short time before the queen's arrival the young men of Edinburgh had, in spite of the prohibition of the magistrates, celebrated, according to ancient custom, the masque of Robin Hood and Little John, whose fame and popularity, it thus appears, had extended beyond the Tweed.[2] It was a serious aggravation of the offence that the pantomime had been performed upon a Sunday; and in consequence of this defiance both of the spiritual and the temporal power, the ringleaders were apprehended, and an unfortunate shoemaker who had played the part of the immortal outlaw was condemned to death. The punishment was so outrageously disproportioned to the offence, at least in the eyes of his comrades, that they made an on-

[1] Tytler, v. 193.

[2] Knox says, "the rascall multitude were stirred up to make a Robin Hude."—See p. 300 and 306.

slaught on the Tolbooth, where the condemned man was confined, and liberated not only him but all his fellow-prisoners, without regard to the character of their offences. It was fortunate for the youths who had thus violated the law and defied the clergy, that their sovereign arrived in time to prevent any further mischief. They repaired in a body to the queen while she was on her way to Holyrood, and sought pardon for the outrage they had committed. Mary, not unwilling, probably; to mark her sense of the tyranny of the preachers, who, for a mere act of folly, would have consigned a fellow-creature to the gallows, dismissed the riotous apprentices with an admonition to conduct themselves peaceably for the future; an act of clemency for which she was duly censured by her enemies.[1]

Mary was accompanied to Scotland by three of her uncles, the Duke d'Aumale, the Marquis d'Elbeuf, and the Grand Prior. There were also in her suite the Count d'Amville, eldest son of the Constable Montmorency, together with Brantôme, Castelnau, and the poet Chatelar, whose tragic fate has for ever associated his name with the no less unfortunate object of his idolatry. But she had returned to her native country, as we have seen, against the wishes of the ruling faction. The Catholic nobles, to whom she must naturally have looked for support, had for some time been deprived of all share in the government; and the preachers regarded her as the mortal enemy of their religion. Without experience and without friends, nothing can be imagined more hopeless than the prospects of Mary Stewart on her return to Scotland. But the young queen had resources within

[1] Knox, *ubi supra.*

herself which were not dreamed of in the sour philosophy of the Reformers. The surpassing beauty of her person, of which she alone appeared to be unconscious—and the still more irresistible charm of her manner and address, for which she was indebted less to her courtly training than to her kindly heart—created a profound impression upon a people who, although the most self-willed and turbulent in Europe, ever regarded their native monarchs with a sort of superstitious veneration. She was, moreover, the daughter of one of their best-beloved kings, and the virtues of her mother were fresh in the recollection of all. Many of the characteristics of both parents were conspicuous in Mary, but, unfortunately for her, those of her father predominated. She inherited all his high spirit and ready wit, his love of letters, and, we must add, his love of favourites; for in selecting those to whom she gave her confidence, she was often guided less by interest than by impulse. Had she possessed her mother's calm temper and consummate tact, she might possibly have steered in safety through the sea of troubles which lay before her; but her more ardent and impressionable nature, although it inspired far warmer feelings of attachment, betrayed her at times into indiscretions of which her enemies took every possible advantage, and which they finally contrived to turn to her destruction.

From his uncompromising hostility to her mother, it was natural that Mary should regard Knox as her worst enemy in Scotland; but she was not deterred on that account from seeking an early interview with the great Reformer. It has been assumed that she sought by this mark of attention to flatter and to fas-

cinate the enemy of her religion; but her language, as recorded by himself, certainly implies no such purpose. On their meeting she asked him directly, though with her wonted urbanity, why he had instigated her subjects to rebel against her, and why he had written a book against her just authority. Knox answered no less plainly, that he had obeyed the Word of God by denouncing idolatry. "You think, then," said the queen, "I have no just authority." Knox replied that learned men in all ages had expressed their opinions with freedom; and, alluding to his 'First Blast of the Trumpet against the Monstrous Regiment of Women,' he had the vanity to insinuate a comparison between that quaint piece of boorish bigotry and the 'Republic' of Plato, who had been a reformer like himself. But he was willing in future to keep his opinions to himself. "If," he continued, "the realm finds no inconvenience from the regiment of a woman, that which they approve I shall not further disallow than within my own breast, but shall be as well content to live under your grace as Paul was to live under Nero." The complacency with which the Reformer likened himself first to Plato and next to St Paul, while he compared the young queen to the bloodiest of all the Roman tyrants, is essentially characteristic of the man.[1]

Mary had been accustomed to listen to compari-

[1] Although this conversation is related by Knox himself (p. 311-315) we can hardly believe that he used language so gratuitously offensive. The truth is, that the Reformer was much given to boasting, and his exaggerations frequently border on the ludicrous. On a subsequent occasion he tells his readers, with much apparent satisfaction, that he caused the queen to weep so bitterly that "scarce could Marnock, one of her pages, get handkerchiefs to hold her eyes dry" (p. 359).

sons very different at the Court of France; but she restrained her feelings, and allowed the Reformer to proceed without interruption. Her patient demeanour even induced him to express a wish that no evil should result to her from his book, which he explained "was written most especially against that wicked Jezabel," Mary of England. "But ye speak of women in general," said the queen, justly regarding his work as a libel upon her sex; and she asked him how he could reconcile with the Divine command his doctrine that subjects should not obey their rulers. Knox replied, that true religion was derived from God, and that subjects were not bound to conform to the religion of their princes, otherwise the Hebrews must have conformed to the religion of Pharaoh, Daniel to that of Darius, and the early Christians to that of the Roman emperors. "But," rejoined the queen, "none of those men raised the sword against their princes?" Knox, evading the question, replied that they resisted by not obeying. "But they resisted not with the sword," repeated Mary, perceiving her advantage. "God, madam," replied Knox, "had not given them the power and the means." Mary had now driven her adversary to a point whence escape was impossible, and she asked him plainly whether he believed "that subjects having the power may resist their princes?" Knox could no longer avoid a direct reply. "If," he said, "princes exceed their bounds, madam, no doubt they may be resisted, even by power;" and he instanced the case of a father being struck with frenzy, in which case his children might bind his hands. "Even so, madam, is it with princes that would murder the children of God that are subject unto them."

Mary did not stop to examine the transparent fallacy of his comparison, but she seems to have comprehended on the instant the full import of the doctrines she had just heard propounded. "I perceive," she answered, with equal brevity and truth, "that my subjects shall obey you and not me, and shall do what they list, not what I command." To this plain speech the Reformer replied, that his sole desire was that both princes and people should obey God.

At this point Mary made an avowal of her faith, as explicit as she had formerly made to Throgmorton, declaring "that she believed the Church of Rome to be the true Church of God." This was too much for the intolerance of Knox. "Your will, madam," he exclaimed, "is no reason; neither doth your thought make the Roman Harlot to be the true and immaculate spouse of Christ;" and he forthwith launched the fiercest invectives against the Church of Rome, with all her countless abominations. "My conscience is not so," replied the queen, without noticing his insulting tone and language. "Conscience, madam," continued Knox, in the same strain of insolent freedom, "requires knowledge, and I fear that right knowledge ye have none. Have you heard any teach but such as the Pope and the cardinals have allowed?" "You," said the queen, "interpret the Scriptures in one way, and they in another; whom shall I believe, and who shall be judge?" Knox replied, that he was willing to argue the matter with the most learned Papist in Europe, and would demonstrate the utter vanity and falsehood of the Papistical religion; and with this empty boast the interview was brought to a close.

It was unfortunate for the queen that, according to

Knox's own narrative, she had maintained throughout the superiority, as well in temper as in argument. Had there been a spark of generosity in the Reformer's nature, he could not have failed to admire, in one so young, the native clearness of her intellect, and even the steadfastness with which she clung to the persecuted faith of her fathers. But his egotism was incurably wounded by his discomfiture, for it is certain that he ever afterwards regarded Mary with feelings of personal hostility. The Lord James had alone been present at the interview, and he appears by his silence to have approved of the harsh behaviour of Knox; but the more cultivated and penetrating Maitland perceived that the conduct of the Reformer was more likely to confirm a young and high-spirited princess in her religious opinions than to convert her to the new doctrine. "I could wish he would deal more gently with her," he says at this time, in a letter to Cecil; "but surely, in her comporting with him, she doth declare a wisdom far exceeding her age."[1]

The remark of Maitland was equally true as regards Mary's conduct in temporal affairs. To the great disappointment of the Earl of Huntly and the Catholic nobility, she selected the Lord James and Maitland, two of the most active leaders of the Reformation, as her principal advisers; and she issued a proclamation declaring that she had no intention of disturbing the religion which she had found existing on her arrival in Scotland. As an earnest of her sincerity, she shortly afterwards gave her sanction to a scheme for providing a settled income for the Protestant clergy out of the confiscated Church lands. The greed of the Protestant

[1] Tytler, v. 200.

nobles rendered the provision thus secured a very slender one; but the assent of the queen to this measure was a matter of great importance, as it amounted, in fact, to a recognition on her part that the Reformed religion was legally established in Scotland.[1]

. Mary's first care therefore was, to conciliate the Reformers; her second was, to preserve amity with England. Elizabeth, having failed to intercept her at sea, had hastened to congratulate her on her safe arrival in her native country, explaining with suspicious anxiety that the ships of war which she had seen on her voyage had only been sent to look for pirates. Mary probably saw through the flimsy pretext; but she had escaped the threatened danger, she was sincerely desirous at this time of establishing friendly relations with Elizabeth, and she replied in cordial terms to the congratulations of her sister queen.[2]

Previous to the arrival of Mary in Scotland, an important proposal had been made by the Lord James respecting the vexed question of the succession. He suggested to Cecil, as the best means of establishing permanent friendship between the two queens and their respective countries, that Mary should be declared the next heir to the crown of England in the event of Elizabeth dying childless.[3] It was clearly the most

[1] Tytler, v. 209.

[2] Randolph to Queen Elizabeth, 6th September; Record Office.

[3] Notwithstanding the suspicious conduct of Murray at this time, it must be admitted that the proposal which he now made seems inconsistent with his alleged complicity in the design of Cecil to intercept the queen on her voyage to Scotland. But the Lord James was so wary a politician that we are often at a loss to make out his real intentions. Even his friend Throgmorton writes about this time that he does not know what the Lord James "meaneth."—Quoted by Tytler, v. 187.

equitable arrangement that could be devised, but Elizabeth, for obvious reasons, refused to entertain it. She believed, and probably with justice, that by acknowledging Mary as her heir, and thus stimulating the hopes of the English Catholics, she would have placed her throne in immediate jeopardy. The proposal was shortly afterwards repeated in a more formal manner by Maitland, and no less formally declined.

It is confidently asserted by a certain class of writers, that Mary Stewart, although not yet nineteen years old, returned to Scotland with the fixed determination of overthrowing the Protestant religion and restoring the ancient faith, as a stepping-stone to the throne of England.[1] It is asserted no less confidently by others, that her brother, the Lord James, from the time that he espoused the cause of the Congregation, had fixed his affections on his sister's crown. But the conspicuous personages of history frequently incur censure, or obtain credit, for designs which they probably never seriously entertained; and it must be admitted that the conduct both of the queen and of her brother at this time, seems to refute the imputations which they have severally incurred. If Mary had determined on the overthrow of the Reformed religion, we cannot believe that she would so readily have consented to endow the Protestant clergy. If the Lord James had determined on seizing on the Scottish crown, his proposed plan of settling the succession—which was made, as it appears, without his sister's knowledge—was clearly inconsistent with any such intention. That the enemies of both should sus-

[1] She came, according to Mr Froude, "with a purpose fixed as the stars to trample down the Reformation."—Vol. vii.

pect them of sinister designs was a necessary consequence of the peculiar position in which each stood. It may be assumed that Mary would gladly have seen the ancient faith restored in Scotland, but she had too much sense to attempt impossibilities, and she yielded with a good grace to circumstances which were beyond her control. That the Lord James, on the other hand, was suspected of the most ambitious projects, even by his friends, we have abundant proof; but his premature death must ever render it impossible to determine whether these suspicions were founded in truth.

The queen naturally claimed for herself the same privilege which she had so freely accorded to her Protestant subjects—namely, that of worshipping God according to her own creed. But this reasonable compromise was vehemently opposed by the more fanatical section of the Reformers; and Knox declared that he would rather see 10,000 Frenchmen in Scotland than a single mass. It is creditable to the Lord James that he should on this occasion have resisted the tyranny of the preachers, and obtained for his sister the privilege of attending mass in her own private chapel.

The Reformers appeared to think that the surest way of converting their sovereign was by taking every possible means of insulting her religion. Shortly after her arrival, she was entertained at a banquet in Edinburgh Castle; and after the repast, a child descended from the roof and presented her with a Bible. As the walls of the chamber were decorated with scenes from the Old Testament, representing the punishment of idolaters, the queen could be at no loss to understand the allusion to her religion. It was intended, on the same occasion, to have burnt a priest in effigy;

but this part of the pageant was omitted, through the influence of the Earl of Huntly.[1] A proclamation was issued by the Town Council of Edinburgh shortly afterwards, ordering the removal from the city "of all monks, friars, priests, nuns, adulterers, fornicators, and all such filthy persons," under the pain of branding on the cheek and perpetual banishment. Knox and the preachers continued, meanwhile, to threaten the nation with the vengeance of Heaven if idolatry was suffered to remain. We learn further from Randolph, that the question began to be mooted, whether the princess, being an idolater, was to be obeyed even in civil matters. The English envoy, who was by this time pretty well acquainted with the character of the Scots, adds the following significant reflection: "I think marvellously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people no more substance nor power than they have, for then would they run wild."[2]

The queen bore so patiently all her multiplied annoyances, that she won insensibly the goodwill of all classes of her subjects. She continued, at the same time, on the most friendly terms with Elizabeth. On the occasion of the Lord James's marriage,[3] which took place a few months after Mary's arrival in Scotland, she pledged the health of the Queen of England, and gracefully made a gift of the cup, which was of gold, and weighed twenty ounces, to the English ambassador.[4] She at the same time created her brother Earl

[1] Randolph to Cecil, 7th September.—Keith, ii. 83.

[2] Ibid., 11th November.—Ibid., ii. 111.

[3] He married the Lady Anne Keith, a daughter of the Earl Marischal.—Ibid., ii. 99, note.

[4] Randolph to Cecil, 12th February 1562; Record Office.

of Mar, which ancient title had been for some time in abeyance.

An incident occurred about the same time, which, though trifling in itself, was the cause of much annoyance to the queen, and led eventually to serious consequences.

It was discovered that the Earl of Arran, notwithstanding his professions of sanctity, had a mistress in Edinburgh at this time, whom he used to visit in secret. One night after supper the Marquis d'Elbeuf, the Lord John Stewart, one of the queen's half-brothers, and the Earl of Bothwell, who probably was the ringleader on the occasion, determined to see the lady who had captivated the Calvinist leader; and, repairing to her residence in disguise, they were so well received that they repeated their visit on the following evening. On the second occasion, however, they were refused admittance; whereupon, being heated with wine, they proceeded to break open the doors of the house. The news of the disturbance soon spread; the retainers of Arran and Bothwell hastened to the spot, and but for the prompt interference of the magistrates, aided by the presence of Huntly and the Lord James, a pitched battle must have taken place in the streets —an occurrence by no means unusual in that lawless age. The next day, the queen sharply reproved the perpetrators of this foolish outrage,[1] and commanded Bothwell, who had no doubt taken the most active part in it, to leave Edinburgh for a fortnight. But the Assembly of the Kirk, which happened to be sitting at the time, was by no means satisfied that the matter should be thus lightly passed over. This now

[1] Randolph to Cecil, 27th December.—Keith, ii. 130.

formidable body presented an address to the queen, demanding that "the principal actors of this heinous crime," including, of course, her uncle and her brother, should be brought to trial, and punished according to law. The queen had no choice but to yield to the clamour of the preachers, or to incur the imputation of sheltering her relatives from the consequences of their folly. To the great disgust of the assembly, she chose the latter course; informing them that her uncle was a stranger in the country, and that care should be taken that such scenes should not be repeated. "And so," says Knox, "deluded the just petition of her subjects."[1]

But the matter did not end here. Between Bothwell and the Hamiltons there existed a feud of some standing, for which no cause can be assigned, except that they represented at this time the two most powerful families in the south of Scotland. But as Bothwell, as well as Arran, was a stanch Protestant, their notorious enmity was a scandal to the Congregation, and Knox did his utmost to reconcile them. Unfortunately, as it happened, for both, the Reformer succeeded.

From the time of the queen's arrival in Scotland, the Hamiltons, conscious, apparently, of their treasonable project in promoting the Arran marriage, had kept aloof from Court. But shortly after the reconciliation brought about by Knox, the Earl of Arran sought an audience of the queen, and accused himself and Bothwell of a design of murdering the Lord James and seizing on the government. He further said that the whole plot was contrived by Bothwell,

[1] Knox's History, 326.

who, in consequence of the information, was immediately arrested. Elizabeth and Cecil never doubted that the Queen of Scots would avail herself of so fair an opportunity for crushing the Hamiltons, who had ever sided with her enemies, and who were the next heirs of her crown. But it was not in the nature of Mary Stewart to trample on a fallen enemy; and we learn from Randolph that when the Duke of Chatelherault appeared before her, bewailing with tears the ruin of his house, she received him with "all gentleness."[1] It was afterwards discovered that Arran, who had been leading an irregular life, was deranged; yet many were disposed, notwithstanding, to give credit to the charge he had made against Bothwell. That notorious person was young, daring, profligate, and needy, and was but too likely to engage in any enterprise which promised to recruit his dilapidated fortunes. Before, however, any steps could be taken to verify the charge against him, he made his escape from Edinburgh, whither he did not venture to return for upwards of two years.

It has never been asserted that the queen, at this period of her career, showed any partiality for Bothwell. From his rank, and the important offices which he held,[2] he had acted as a member of her Council

[1] "She has used his father, himself, and their friends with all gentleness, the more to let them know, and the world judge, that she loved them as kinsmen, and esteemed them as her successors. Unto the one she promised a reasonable sum towards his living during his father's life, and remitted unto the other many things that he was in danger for, both in body and goods."—Randolph to Cecil, 9th April; Record Office. This is strong testimony, as Randolph came first to Scotland as the friend and guest of the Hamiltons.—See also his letter to Cecil of 25th April.

[2] Bothwell was hereditary Lord High Admiral of Scotland

from the time of her return to Scotland. But beyond restoring to him certain lands which appear to have formerly belonged to his family, she distinguished him with no mark of favour. On the contrary, she seemed to think, and we find that Cecil [1] was of the some opinion, that there was some truth in the accusation preferred by Arran. Some months after that occurrence, Bothwell addressed her in penitent terms from his Border Castle of Hermitage in Liddesdale. But on this occasion Mary was more than usually firm. "Anything he can do or say," observes Randolph,[2] "can little prevail. Her purpose is to put him out of the country." Finding the queen inexorable, Bothwell shortly afterwards left Scotland. That the queen should have shown so much forbearance towards the Hamiltons, while she turned a deaf ear to the man of whom her enemies afterwards asserted she was so violently enamoured, is a circumstance which the latter have not explained.

From the gossiping letters of Randolph we learn nearly all that is known at this time of the disposition and habits of the Queen of Scots. Her early misfortunes, and the many vexations to which she was subjected, do not appear to have permanently affected her naturally cheerful temper. She seems to have been easily moved to mirth, and would indulge at times, in presence of the English envoy, in laughter of the most undiplomatic kind. Her modern enemies

(Chalmers, iii. 7), and in 1558 he had been appointed Lieutenant or Warden of the Borders by Mary of Lorraine.—Ibid., p. 8.

[1] Writing on the 8th June to the English ambassador at Madrid, he says, "There was something, but not so much as Arran uttered." —Record Office.

[2] Randolph to Cecil, 23d September; Record Office.

assert that this frank and open demeanour was the result of consummate deceit; as if any girl of nineteen, or indeed any human being, could conceal their real character from those immediately around them. It is certain, at all events, that neither Randolph nor Cecil, who were both sufficiently prejudiced against the Queen of Scots, suspected her at this time of those deep and desperate schemes of which modern writers, who are credulous enough to follow Knox and Buchanan, are wont to accuse her. The truth is, that the moderation of Mary in matters of religion had proved as offensive to the Catholic fanatics of Spain as it was to the Protestant fanatics of Scotland. "The Spanish Council," says Throgmorton, "dislikes the toleration the Queen of Scots allows to the Protestant religion in Scotland, and that she begins to order the Church lands in such sort as she does;"[1] alluding, no doubt, to the provision made for the Protestant clergy. Cecil, on the other hand, entirely approved of the policy and conduct of the Scottish queen. "The whole governance," he says, "rests in Lord James and the Laird of Lethington. The others that have credit are the Earls Marischal, Argyll, Morton, and Glencairn, all Protestants. The queen quietly tolerates the Reformed religion through the realm, who is thought to be no more devout towards Rome than for the contentation of her uncle."[2]

Although Mary mixed freely in the amusements of her Court, even Knox admits that in Council, in which she spent much of her time, she always showed a

[1] Throgmorton to Cecil, 24th March 1862; Record Office.

[2] Cecil to Sir Thomas Challoner, ambassador in Spain, 8th June 1562; Record Office.

becoming gravity. We learn from Randolph[1] that she was in the habit of appearing at the Council board with some piece of needlework in her hand, with which she employed herself at intervals during the discussions of her ministers. We learn from the same authority that she read Livy every day at this time with George Buchanan, who for his services was afterwards appointed lay Abbot of Crossraguel Abbey[2] in Ayrshire, and Principal of St Leonard's College, St Andrews.

The elevation of the Lord James to the post of principal adviser of the queen was regarded by no one with greater jealousy than by the Earl of Huntly. As chief of the Catholic nobility and chancellor of the kingdom, he probably expected, on Mary's return to Scotland, to occupy the first place in her Council; but the policy, which she had wisely adopted, of surrounding herself with Protestant advisers, proved fatal to his hopes. The queen had other reasons for distrusting Huntly. Throughout the whole of the religious struggle he had played a double game—ever promising his powerful aid to the stronger side, but in reality never helping either. A professed adherent of Mary of Lorraine so long as fortune favoured her arms, and a partisan of the English alliance when the tide turned against her—this crafty earl seemed indifferent to both religions, so long as he retained his

[1] Letter to Cecil, 24th October; Record Office.

[2] He received this appointment from Queen Mary in November 1564.—See letter of Randolph in Keith, ii. 242. The appointment was a valuable one, and rendered Buchanan for the first time in his life independent.—See Chalmers, i. 105. He was appointed Principal of St Leonard's by Murray, who was Prior of St Andrews.—Life of Buchanan by Irving, 117.

vast possessions and his unrivalled influence in the north. These possessions had been steadily increasing for several generations, but an incident now occurred which effectually checked the growth of a family whose ambition, fortunately for the sovereigns of Scotland, did not equal its worldly prosperity.

It happened that Sir John Gordon, a younger son of Huntly, accidentally met the Lord Ogilvie one summer evening in the streets of Edinburgh. They had had a previous quarrel, and being both accompanied by armed retainers, swords were forthwith drawn, and Lord Ogilvie was dangerously wounded by his opponent. The magistrates, who appear to have behaved with becoming spirit on the occasion, caused Gordon to be apprehended and committed to close custody,[1] and, at the same time, sent an account of the affair to the queen, who was then at Stirling. She replied to the communication of the magistrates on the same day on which she received it, thanking them heartily for their diligence in apprehending the disturbers of the peace; "for," she continued, "albeit the party be great, as ye write, yet nevertheless shall their greatness, nor respect of their kindred, stay us to execute justice as accords."[2] We learn, from what subsequently occurred, that these were no empty words; but that she was resolved, if possible, to put down the barbarous practice of private warfare among her subjects.

Before any proceedings could be taken, however, Sir

[1] The order is characteristic. He was to be kept in ward, and watched by twelve men, "*upon his own expenses*," until it should be known what was the result of Lord Ogilvie's wound.—Keith, ii. 155.

[2] Keith, i. 157.

John Gordon contrived to make his escape from prison, and fled to Aberdeenshire. Unfortunately for him, the queen had determined about this time to visit the northern part of her dominions. On her arrival in the country of the Gordons, the Countess of Huntly pleaded earnestly for the pardon of her son. But the queen insisted that he should proceed immediately to Stirling Castle, and there deliver himself up to the governor. With this injunction Gordon promised to comply; but he again escaped from his guards, and fled with a body of horse to the northern part of his father's vast domains, where he finally concerted measures with the earl for destroying their enemy the Lord James, and seizing the person of the queen.

It is surprising that a politician so crafty and cautious as Huntly should have ventured to embark in this desperate enterprise. But the influence of his son, and the dread of being stripped of his princely power by the Protestant advisers of the queen, finally induced him to take up arms. Mary was at this time at Aberdeen, and she was alarmed by the intelligence that Huntly was advancing upon the town with a large force. But the Lord James was deficient in no quality requisite for worldly success. Marching out of Aberdeen at the head of a small body of pikemen, he encountered and totally defeated the undisciplined Highlanders opposed to him. Huntly himself fell in the engagement, and his rash and unfortunate son, who appears to have been the sole cause of the rebellion, was beheaded a few days afterwards at Aberdeen. No other member of this noble family perished on the scaffold. Lord Gordon, the eldest son, although

condemned to death, was pardoned by the queen; and the same clemency was extended to his youngest brother Adam, who was also actively engaged in the rebellion.[1]

The rich earldom of Murray had been for some time in possession of Huntly; but it was now bestowed, as a reward for his services, upon the Lord James. The Lord James also shared largely in the plunder of Strathbogie, the residence of Huntly, and reputed to be the finest house in Scotland. The Earl of Morton was appointed chancellor in the place of Huntly; and having thus reduced to complete obedience the northern counties, the queen returned to Edinburgh.

It happened that this year there was a very late and scanty harvest in the north of Scotland, a circumstance which Knox attributed entirely to the presence of the queen. "So," he exclaimed, "did God punish the idolatry of our wicked rulers."[2] But Randolph[3] informs us that the harvest had failed before the queen reached Aberdeenshire, so that the Reformer was mistaken as to the fact whence his pious reflections were derived.

If, as her enemies assert, Mary returned to her native country with the fixed determination of restoring the old religion, her consent to the total ruin[4] of the chief of the Catholic nobility is inexplicable. The forfeiture of Huntly involved also that of his kinsman

[1] Adam Gordon afterwards became the hero or the villain of the fine tragical ballad of "Edom o' Gordon."—See Percy's Reliques of Ancient Poetry.

[2] Knox, 352. [3] Randolph to Cecil, 31st Aug.; Record Office.

[4] She seems to have been greatly irritated by the perverse conduct of Huntly. "The queen," says Randolph, "is determined to bring him to utter confusion" (12th October, to Cecil).

the Catholic Earl of Sutherland, and of a number of the northern gentry retainers of both families. But, in truth, this charge has been made against the queen upon certain preconceived notions of her character, and in total apparent ignorance of circumstances. In Scotland, as in Protestant Germany, the patrimony of the Church had been shared among the magnates of the land, who had, on that account, the strongest interest in maintaining the new religion. A restoration of the ancient state of things in Scotland, where the nobles were all-powerful, was a political impossibility. Nothing short of a successful foreign invasion could have brought it about; and that, in the disturbed condition of France, was out of the question. In England, as Elizabeth well knew, there was much greater danger of reaction, because the wealth of the Church had been chiefly shared among new men and minions of the Court, who were naturally regarded with little favour, either by the old nobility or by the people.

In consequence of the exile of Bothwell and the attainder of Huntly, Murray has been accused of a design to undermine the power of the great nobility, with a view to paving his way to the crown. But this accusation rests upon no sufficient proof. He was in no way responsible for the flight of Bothwell, or for the rebellion of the Gordons, an incident clearly arising from the feudal anarchy which prevailed in Scotland. The expedition to the north, moreover, seems to have been planned, not by Murray, but by the queen herself;[1] and had any premeditated design existed to

[1] "It is rather devised by herself than greatly approved by her Council."—Randolph to Cecil, 10th August 1562; Record Office.

crush the Earl of Huntly, a sufficient force would have been provided for the purpose. As it was, the rash attempt of Huntly completely took the royal party by surprise, and they were indebted for their safety to the loyalty of some of the northern clans.

The queen thus succeeded for a time in curbing the insubordination of her nobles, but she found it impossible to check the insolence of the preachers. Every attempt which she made to conciliate Knox was rudely repelled. That fierce disciple of Calvin not only regarded his sovereign as an incorrigible idolatress, but as an enemy whose death would be a public boon. He had even the audacity to express these savage sentiments in the pulpit.[1] He denounced in the same public manner the amusements of the Court, and, in particular, the deadly sin of dancing. Yet, in spite of these rigorous denunciations, the Reformer was by no means indifferent to female attractions; for, at the mature age of fifty-eight, we find that he was paying his addresses to a girl of sixteen.[2]

Throughout the winter, Mary had watched with painful interest the progress of events in France. Catherine de Medici had been induced, through her ceaseless jealousy of the house of Guise, to conciliate the Protestants by consenting to the famous edict of January 1562, which secured liberty of worship to the Reformers. But this truce between the rival factions was soon violated by both; and, stimulated by promises of aid from England, the Prince of Condé, in

[1] "They pray," says Randolph, "that God will either turn her heart or send her a short life." Randolph adds, in his sarcastic manner, "of what charity or spirit this proceedeth, I leave to be discussed by the great divines."—28th February 1563; Record Office.

[2] Randolph to Cecil, 22d January 1563; Record Office.

the month of April, at last raised the standard of rebellion. Elizabeth soon afterwards entered into a treaty with the leader of the Huguenots, as she had done, two years before, with the Duke of Chatelherault, as representing the Scottish insurgents. She engaged to send into Normandy a body of 6000 troops, and to provide a sum of 100,000 crowns; and although her ministers had been labouring incessantly for two years to stir up a Huguenot rebellion, she stated that, "in arming her subjects, she meant only the peace of Christendom."[1] She further stated that she had taken up arms, not against her ally the King of France, but to protect the people of Normandy against the tyranny of the house of Guise. Pretences so ridiculous deceived no one, and the Duke of Guise personally remonstrated with Throgmorton as being the instigator of the civil war—a charge which the English ambassador did not think fit to deny.[2] In the mean time, the royal army, led by the duke and the King of Navarre, who had now changed sides, advanced upon Rouen. The town was held by a Huguenot officer of Scottish descent, the Count Montgomery, who, aided by a few hundred English volunteers, made a most obstinate defence. It was of the utmost consequence to Elizabeth to prevent the fall of this important place;[3] but, with all her undoubted abilities, she seemed ever incapable of acting with decision in any emergency. No efficient aid was sent to the relief of Rouen; and on the 26th of October, the

[1] 20th Sept.; Record Office. [2] Forbes, ii. 79.

[3] Sir Thomas Smith, the English ambassador in Paris, informs Cecil, that if a sufficient force had been sent to relieve Rouen, all Normandy must have fallen into the hands of Elizabeth.—Letter of 8th Nov.; Record Office.

Duke of Guise succeeded, after a desperate struggle, in storming the town.[1]

The King of Navarre had been mortally wounded during the siege; and Guise next proceeded to measure his strength with the Prince of Condé. On the 19th December, the rival chiefs met at Dreux. The issue of that famous battle was long doubtful, and both sides at first claimed the victory. But the Duke of Guise, who lost one of his brothers in the engagement,[2] remained master of the field, with Condé for his prisoner. Throgmorton, who was in the Huguenot camp, was made a prisoner at the same time; and we learn from Randolph that, as soon as the Scottish queen was aware of the fact, she wrote to her uncle on behalf of the English ambassador, and this she did of her own accord, without consulting with her ministers.[3] But her interference seems to have been unnecessary, for Throgmorton states[4] that he was from the first treated by the duke with every attention, and was allowed, after a few weeks, to return to England.

Mary could not but watch with deep anxiety the progress of a struggle in which her favourite uncle, the illustrious Duke Francis, was the leader on one side, and one of her most devoted admirers, the Prince of Condé, on the other. To the English ambassador she expressed herself on the subject with her usual frankness. She told him that she could not but consider her uncles as true subjects; that she heartily

[1] Castelnau, who was present, says that the duke behaved with great humanity on this occasion, and did his utmost, after the town was taken, to save the citizens from the fury of his soldiers.—Memoirs, 177.

[2] The Grand Prior received a wound from which he never recovered.

[3] Randolph to Cecil, January 3, 1563; Record Office.

[4] Throgmorton to Elizabeth, 22d January; Record Office.

wished them well, as by nature she was bound to do. But she added, "she would not condemn those who were not of her mind."[1]

The Duke of Guise, after his victory at Dreux, proceeded to invest Orleans, the chief stronghold of the Huguenots; but on the very eve of the day which had been fixed for the assault, he fell beneath the bullet of an assassin. He lived for some hours after receiving the fatal wound; and it is worthy of note that, like his sister, Mary of Lorraine, this great soldier recommended with his latest breath, to his successors, a policy of peace and toleration. The murder of the Catholic chief was hailed with exultation by his enemies. Coligny declared that it was the greatest blessing that could have happened to France;[2] and Knox did not hesitate to assert that the Almighty had guided the aim of the assassin.[3] But the death of the Duke of Guise proved in the end a source of terrible calamities, and most of all to the Protestants themselves. His adherents never ceased to proclaim Coligny as the true murderer; and thus was roused, and kept alive, a spirit of revenge which found a vent, some nine years later, on the eve of St Bartholomew, and dealt a blow to Protestantism in France which it never afterwards recovered.[4]

[1] Randolph to Cecil, 2d November; Record Office.

[2] See the letter of Coligny to the queen-mother, quoted by Lacretelle, Guerres de Religion, ii. 134.

[3] "God had stricken that bloodie tyrant, the Duke of Guise."—Knox, 361.

[4] Mary was deeply affected by the death of her uncle. It seems to have revived the memory of her early misfortunes, and awakened her to a painful sense of the loneliness of her position in the world. To Randolph, who sought to rouse her from her despondency, she replied by recounting "the adventures that had fallen to her since the death

The command of the English forces in France had been bestowed on the Earl of Warwick, who, in accordance with the treaty concluded with Condé, occupied Havre de Grace. But the parsimony of Elizabeth soon told with fatal effect on the expedition. The soldiers were so miserably supplied, not only with food and clothing, but even with arms, that no active operations could be attempted. It was in vain that Warwick and his officers complained [1] again and again to the Council on the subject; and a deadly epidemic, the necessary consequence of cold and want, soon began to decimate his men. Condé, in the mean time, became an object of universal unpopularity. His countrymen did not fail to contrast his conduct with that of his murdered rival, who had wrested from the English their last stronghold in France; while he had invited back the hereditary enemies of his country,

of her husband, and how she was destitute of all friendship, wherefore he should not wonder to see her at so extreme a point of sorrow." —19th April; Record Office. Within a week afterwards Randolph saw her again, and in the interval she had received a letter from Elizabeth which seems to have caused her extreme satisfaction. "I have now," she said, "received no small comfort, and the greatest that I can, coming from such a one as my dear sister, so tender a cousin and friend as she is to me; and though I can neither speak nor read but with tears, yet think you not but that I have received more comfort of this letter" ("and incontinent," continues Randolph, "putteth it in her bosom, next her skin") "than I have of all that hath been said to me since I heard first word of my husband's death. Now I trust God will not leave me destitute; and for my part, I will show myself as loving and as kind unto my sister your mistress, as if God had made us both one father and mother."—Randolph to Cecil, 25th April.

[1] On 24th November, Warwick writes to the Council that there is neither bread nor beer in the queen's stores. Two days later, on the 26th, Wood writes that the soldiers are without bedding; and on the 2d December, Vaughan writes to Cecil as follows: "The Essex men arrived here altogether unfurnished with armour and weapons; and to-day 500 Devonshire, like unfurnished, arrived."—Record Office.

and put them in possession of a seaport far more valuable than Calais. Stung by these reproaches, and not unwilling to punish the duplicity of Elizabeth, who had failed to supply him with the money she had promised, Condé and his friends now made peace with the royalists, and both advanced to the attack of Havre. Elizabeth pretended to hold the town in trust for her ally the King of France, but neither Protestants nor Catholics would listen to such vain pretexts. Two breaches were soon made in the walls; and Warwick, unable with the wreck of his army to resist an assault, surrendered the town, on condition of his being allowed to return with his troops to England. Thus ended the inglorious expedition of 1563, which reflected as little credit on the arms as on the policy of Elizabeth.

About this time a painful sensation was created at the Scottish Court by the tragic fate of the poet Chatelar. On his own account, as well as on that of his patrons the Montmorencys, the queen had treated him with every attention; and had even, it is said, amused herself at times by replying in verse to his productions.[1] Chatelar either misinterpreted her courtesies, or, as is more probable, they had the effect of unsettling his reason; and one night at Holyrood he contrived to conceal himself in the queen's bedchamber. On being discovered, he was ordered immediately to quit the Court. But with a degree of infatuation incompatible with sanity, the unhappy man only two days afterwards followed the queen in secret to Burntisland, and was again found concealed in her chamber in that place. The screams of her ladies soon brought

[1] Hume, chap. xxxix.

Murray to the spot, and the intruder was secured and sent to prison.[1]

It is impossible to acquit the queen of all blame in this unfortunate affair. Chatelar was condemned to death for his audacious conduct, and she allowed him to perish on the scaffold. It may be said, and it is no doubt true, that if she had interfered to save his life, the worst construction would have been put upon her motives; but it would have been better to incur such imputations than to allow a punishment to be inflicted so disproportioned to the offence.

Proceedings were taken at this time, under the statute of 1560, against a number of persons in the west of Scotland, including John Hamilton, Archbishop of St Andrews, for celebrating mass; and it is curious to find that the wilds of Ayrshire, which a century later were the haunts of persecuted Presbyterians, were now the resort of persecuted Catholics, who on the bleak moorlands, or beneath the shelter of some friendly rock, worshipped in secret according to the faith of their fathers. Some of the more zealous Reformers, impatient of the proverbial tardiness of the law, did not hesitate to attack and disperse the "idolaters," when they found them thus engaged. The queen, as well from sympathy with her Catholic subjects as from her desire to maintain the public peace, remonstrated with Knox respecting these lawless proceedings. But he not only defended but ap-

[1] Knox says that the queen ordered Murray to slay the intruder on the spot, "and never let him speak word" (p. 351). His whole account of the story is grossly over-coloured. Mary was certainly not in the habit of giving such peremptory orders; but we can well believe that she was extremely indignant on the occasion. What would her enemies have said if she had shown no resentment at all?

plauded them. He asserted that private individuals might even slay with their own hands idolaters and enemies of the true religion;[1] and he quoted a number of passages from Scripture in proof of his assertion.

Mary had now remained a widow for upwards of two years. In the interval a host of suitors had sought her hand, among whom were the Kings of Sweden and of Denmark, the Archduke Charles, brother of the Emperor, and Don Carlos, the Infanta of Spain. Of these, both Mary and her uncles would have preferred the last to any of his competitors. But the unconquerable jealousy which Catherine de Medici entertained of the house of Guise, and of her daughter-in-law, proved fatal to this ambitious alliance.[2] Elizabeth was equally opposed to a marriage between the Queen of Scots and the heir of the foremost of the Catholic powers. The two queens were at this time, to all appearance, on the most friendly footing; and it had been arranged in the summer of 1562 that a personal interview should take place between them at York. Some twenty years before, it had been proposed that their fathers should meet in the same city, but the project was defeated through the just suspicions entertained by James of the intentions of his uncle. The position of affairs was now reversed. Mary looked forward with girlish delight to the prospect of meeting her sister queen; while Elizabeth hesitated, delayed, and finally declined the interview. It has been conjectured that she dreaded the superior

[1] History, 353.

[2] Burton's History of Scotland, iv. 248, and the authorities there cited.

attractions of her rival; but a more powerful motive for her conduct may be found in the fact that the great majority of the nobility and gentry in the northern counties regarded Mary's title to the English crown as better than her own.

Although the project of the interview was abandoned, the friendly intercourse between the two queens continued; and after an infinite number of letters and messages had passed between them on the subject of Mary's marriage, Elizabeth at length, to the astonishment of every one, recommended her chief favourite, the Lord Robert Dudley, as a husband for the Queen of Scots.

Mary could not fail to contrast both the rank and the reputation of this celebrated person with the host of royal and princely suitors who had sought her hand.[1] But she was anxious above all things at this time to have the question of the succession settled, and she seriously entertained the proposal of Elizabeth, on the tacit understanding that she should be recognised as next heir to the English queen. By her language and her conduct at this time, Elizabeth certainly led Mary to believe that such was her intention; and commissioners were eventually appointed to discuss the matter at Berwick. The negotiations were protracted by every kind of artifice: but it became necessary at length for Elizabeth to declare her real intentions; and by rejecting the terms upon which alone Mary would have consented to accept

[1] See anonymous letter in the Record Office, supposed to be written by the Laird of Grange. Dudley had a year or two before been accused by public rumour of the murder of his wife, Amy Robsart.—See Lingard, vi. 34, note.

Dudley, a proposal which in reality was acceptable to none of the parties concerned, fell to the ground.

There can be no doubt that Elizabeth was insincere throughout, and that she never really intended to part with her worthless favourite. Mary, on the other hand, was induced to listen to the project only from motives of public policy or of private ambition; while the future Earl of Leicester entertained at this time such sanguine hopes of marrying Elizabeth herself, that he was believed by the best-informed historian of the age to have taken every means in his power to defeat the negotiations for his marriage with the Queen of Scots.[1]

The only motive which can be assigned for the conduct of Elizabeth in this transaction was her anxiety to prevent the Queen of Scots marrying a foreign prince; and even before the projected match with Dudley was definitively broken off, she had commenced a new series of intrigues with the same object.

Matthew Stewart, Earl of Lennox, had been banished from Scotland some twenty years before on account of his treasonable dealings with Henry VIII., who, by way of recompense, gave him in marriage his niece, the Lady Margaret Douglas, daughter of the Earl of Angus and of Margaret Tudor, widow of James IV. Elizabeth now wrote strongly to Mary in favour of Lennox, who was at this time a pensioner of the English Court; and in consequence of her friendly intervention, the banished earl obtained permission to return to his native country. But the inconsistencies of the English queen almost surpass belief. No sooner had she gained Mary's consent for Lennox

[1] Camden, book i.

to return to Scotland than she asked her to revoke it; but Mary and her ministers not only refused to comply with this new freak, but they expressed, in language sufficiently plain, their opinion of Elizabeth's capricious conduct. What induced her to change her mind so suddenly it would be idle to conjecture; but finding from Mary's firmness that she could not now recede, she put the best face on the matter, and allowed Lennox to proceed to Edinburgh in the belief that she had acted as his friend throughout. We find a hurried note written about this time by the Queen of England to her chief minister, which, unlike her compositions in general, seems to bear the genuine impress of her feelings. She finds herself, she says, in a perfect "labyrinth;" and she begs Cecil, who was sick at the time, to extricate her, and to find for her some excuse or explanation which she can make to the Queen of Scots.[1] The note is dated about the time when Lennox arrived in Edinburgh, and there can be little doubt that it refers to her correspondence respecting him.

Mary, notwithstanding the equivocal conduct of her sister queen, not only gave Lennox a cordial reception, but she called a Parliament expressly for the purpose of reversing his attainder. On this occasion, Randolph informs us that she made "an oration, showing the reason of restoring Lennox, and the

[1] The note, which is in Latin, is as follows: "In ejusmodi laberintho posita sum de responso meo reddendo R. Scotiæ ut nescio quomode illi satisfaciam, quum neque toto isto tempore illi ullum responsum dederim nec quid mihi dicendum nunc sciam. Invenias igitur aliquid boni quod in mandatis scriptis Randall dare possem; et in hac causa tuam opinionem mihi indica." The date of the note, endorsed in Cecil's hand, is 23d September 1564.—Record Office.

rather because it was at the request and suit of her sister of England."[1] In the same Parliament the celebration of the mass, excepting in the queen's private chapel, was again prohibited under the severest penalties.[2]

In the early part of the following year, Henry, Lord Darnley, the eldest son of Lennox, obtained permission from Elizabeth to visit Scotland; and it is said that from the time of their first interview, which took place at Wemyss Castle, in the county of Fife, in February 1565, Mary fixed her affections on her handsome kinsman.[3] It seems most probable that this was the case, for a woman of Mary's powers of intellect must have speedily detected the true character of Darnley had she not been under the influence of a passion which is proverbially blind. It is worthy of note that the Cardinal of Lorraine expressed himself at this time in terms of strong disparagement[4] of Darnley, and would apparently have preferred the gallant leader of the Huguenots, the Prince of Condé, as a husband for his niece. All things considered, Condé[5] was perhaps the most eligible of all the suitors of the Queen of Scots; but, unfortunately for her, he appeared in the field too late.

The practice of dissimulation was so habitual with Elizabeth, that her wisest ministers were often at a loss to discover her real intentions. It is not sur-

[1] Randolph to Cecil, 3d December; Keith, ii. 259.

[2] Ibid.

[3] "The Queen of Scots no sooner saw him but presently she fell in love with him."—Camden, book i.

[4] He called him "un gentil hutaudeau."—Teulet, ii. 199.

[5] Condé had lost his wife, Eléonore de Roye, in the preceding year. —Hist. des Princes de Condé, par le Duc d'Aumale, i. 269.

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prising, therefore, that the same difficulty should have been experienced by historians, and that the conduct of this great queen should at times appear inexplicable. From the time that she allowed Darnley to visit Scotland, she could not but perceive that a marriage between him and the Queen of Scots was a probable contingency. She had frequently expressed to Mary her wish that she should not marry a foreign prince; and considering the warm interest which she now professed to take in the Lennoxes, the Queen of Scots might naturally conclude that her choice of Darnley would not be unacceptable to her English sister. But as soon as it was known in London that this marriage was likely to take place, Elizabeth declared, through her Privy Council, that it was "directly prejudicial to the sincere amity between both the queens, and consequently perilous to the peace of both realms."[1] The reasons which induced the Council to come to this conclusion were not explained.

Active steps were immediately taken to break off the match. The Countess of Lennox, who was in London, was placed in confinement, and Throgmorton was sent on a special mission to the Scottish Court. But Mary had by this time made up her mind to be fooled no longer by the tortuous policy of Elizabeth, and her language to the English envoy, though perfectly temperate, was clear and decisive. She expressed her surprise at the opposition of her sister to her marriage, since she had followed her advice in choosing an Englishman in preference to any foreign prince. She added, that she thought that no one could be more acceptable, both to the Queen of England and

[1] Keith, ii. 276.

to her own subjects, than Lord Darnley, who was descended from the royal blood of both kingdoms. Finally, she informed Throgmorton that her marriage would not be celebrated for three months, and she trusted in the interval to overcome any objections which her sister entertained on the subject. Before the English ambassador took his departure she sent him a present of a gold chain weighing fifty ounces.[1]

It must be admitted that Mary on this occasion kept Throgmorton in the dark on a very important point. We now know that she had[2] already privately married Darnley, but that they had determined to wait for the Pope's dispensation, which was necessary on account of their relationship, before the ceremony was celebrated in public. But the conduct of Elizabeth had been such that we need not be surprised at Mary's silence on the subject of her private marriage.

Notwithstanding the elaborate display of opposition on the part of the English queen, we have every reason to believe that she was not in reality averse to the projected match. She would, no doubt, if she could, have prevented Mary from marrying at all; but finding that impossible, she took the most effective means of preventing her from making, what she especially

[1] See his letter to Queen Elizabeth of 21st May 1565; Keith, ii. 284.

[2] See the letters of the French ambassador in London to Catherine de Medici of 2d and 10th May; Teulet, ii. 195, 196. See also a contemporary memoir addressed to Cosmo de Medici, by which it appears that the private marriage took place in Stirling Castle, in an apartment fitted up by David Riccio for the occasion: "Fossero da un capellano catolicamente sposati in camera di esso David."—Labanoff, vii. 86.

dreaded, a fresh alliance with one of the great Catholic powers. We cannot believe that she would have allowed the handsomest youth in her dominions to visit the Court of a young and beautiful queen, to whose hand it was well known he aspired, if she had been really opposed to the marriage.[1] Why, then, did Elizabeth make a show of opposing a match which would effectually avert the danger she so much dreaded? The only answer is, that this pretended opposition gave her an opportunity and a pretext for interfering in the internal politics of Scotland. To create and to perpetuate dissensions in that country was the easiest way of weakening the authority of the Crown, and of preventing a rival, whom she always feared, from engaging in any enterprise which might endanger her own security.

It was not, indeed, until after she was aware that there was a powerful party opposed to the marriage, that she openly took part against it. The return of Lennox to his native country was not regarded with favour by either faction. Full of ambition, yet void of ability, his former career in Scotland had been conspicuous only for its violence and its weakness. It was soon discovered that Darnley inherited in an exaggerated degree all the vices of his father. He had made enemies of the Protestant chiefs before he had been a month at the Scottish Court;[2] and he deeply

[1] She never allowed Mary to see her own favourite Dudley. Castelnau, a shrewd observer, asserts that the match with Darnley was wholly the work of Elizabeth.—Mem., b. 5. cap. 12 & 13. And on March 1565 Cecil boasted to the French ambassador, Paul de Foix, that the marriage of the Queen of Scots was an affair in the hands of his mistress.—Teulet, ii. 192.

[2] "Glencairn and Morton much dislike him, and wish him away." —Randolph to Cecil, 19th February; Keith, ii. 265.

offended Murray in particular by remarking, when looking over a map of Scotland, that his earldom was far too large.[1] Shortly after this silly speech was reported to him, Murray left the Court and began to concert measures with his brother-in-law the Earl of Argyll and the Duke of Chatelherault for preventing Darnley's marriage with the queen.

A period of three years and a half had now elapsed since Mary had returned to Scotland, during the whole of which time the chief share of the government had been intrusted to Murray; and those who believe in his disinterested affection for his sister may defend the course he now took on the ground that he sought to prevent her making an imprudent marriage. Those who believe that ambition was his ruling passion will conclude that he was driven into rebellion by his reluctance to lay down his power, or to share it with one whom he both disliked and despised.

While matters were in this uncertain state, the Earl of Bothwell, who was now in France, sued for permission to return to Scotland. It is worthy of notice, with reference to subsequent events, that the queen was decidedly averse to his return, and for a reason which no woman was likely to forget.[2] He did, however, make his way to Scotland notwithstanding, and sought a refuge among his lawless vassals in Liddesdale. From thence he was summoned to take his trial in Edinburgh for his alleged conspiracy to murder the Earl of Murray. He repaired to the capital

[1] Randolph to Cecil, 20th March; Keith, ii. 275.

[2] "The queen misliketh Bothwell's coming home, and hath summoned him to undergo the law. He is charged to have spoken dishonourably of the queen."—Randolph to Cecil, 15th March.

accordingly; but on the approach of Murray and Argyll, with upwards of 5000 followers[1] in their train, to attend his trial, he very naturally dreaded the result, and fled a second time from Scotland.

From the time of Darnley's arrival in Scotland there is a marked change in the tone of Randolph's letters. The numerous details which this active diplomatist furnishes respecting the queen and her Court during the years of her widowhood induce us to form a very favourable notion of her character and conduct. But from the time that Darnley appears upon the scene, he begins to paint her in colours less and less attractive, until the fair original is entirely lost. Misconceiving, in all probability, the real intentions of his mistress, he did his utmost, in secret concert with Murray and his friends, to prevent the marriage. He even abused his privilege of ambassador so far as to become a channel for supplying them with money—an offence for which Mary obliged him eventually to quit her dominions. It is curious to find that the first fault he finds with the Scottish queen after Darnley's arrival is her toleration. "Her will to continue Papistry," he says, "and *her desire to have all men live as they list*, so offendeth the godly men's consciences, that it is continually feared that these matters will break out to some great mischief."[2] This was precisely

[1] "The company that came to this town in favour of my Lord of Murray are esteemed five or six thousand. I never saw a greater assembly."—Randolph to Cecil, 30th March; Record Office.

[2] Randolph to Cecil, 20th March; Keith, ii. 269. Lodge describes Randolph as being "of a dark intriguing spirit, full of cunning and void of conscience. There is little doubt," he adds, "that the unhappy divisions in Scotland were chiefly fomented by this man's artifices for more than twenty years together."—See Lodge, Illustrations, i. 431. The portrait is not overdrawn.

the policy which four years before Mary had announced to Throgmorton that it was her intention to pursue. She had told that minister that she neither desired to change her own religion nor to interfere with that of her subjects, and Randolph here unwittingly informs us that she had kept her word. But we need not be surprised that in such an age these wise and just maxims should have been the subject of reproach.

Randolph had a reason for calling attention to the matter at this time. He knew that Mary's subjects were now seeking to deprive her of the right which she had never denied to them. Ever since her return to Scotland she had been accustomed to celebrate mass in private, and this right, as we have seen, had been expressly sanctioned by the Parliament of the preceding year. But her projected union with the son of the Catholic Earl of Lennox roused the zeal and animosity of the Reformers to such a pitch, that the Assembly of the Kirk which met in 1565, and was attended by the Earls of Morton, Argyll, and Glencairn, presented, under the name of a supplication, a solemn remonstrance to the queen, in which they declared that "the practice of idolatry" could not be tolerated in the sovereign any more than in the subject, and that the "Papistical and blasphemous mass" should be wholly abolished.

To this demand the queen replied in language no less plain. She said "that where it was desired that the mass should be suppressed and abolished, as well in her majesty's own person and family as amongst her subjects, her highness did answer for herself, that she was noways persuaded that there was any impiety in the mass, and trusted her subjects would not press

her to act against her conscience; for, not to dissemble but to deal plainly with them, she neither might nor would forsake the religion wherein she had been educated and brought up, believing the same to be the true religion, and grounded on the Word of God." She further declared to "her loving subjects that she, neither in times past nor yet in time coming, did intend to force the conscience of any person, but to permit every one to serve God in such manner as they are persuaded to be the best; that they likewise would not urge her to anything that stood not with the quietness of her mind."[1] Nothing could exceed the outrageous language of the Assembly; nothing could exceed the dignity and moderation of the queen's reply.

The faction of which Murray was the chief proceeded after the meeting of the Assembly to more active measures. A convention of the nobles had been summoned to meet at Perth, to which the queen formally announced her intention of marrying Lord Darnley. Neither Murray nor Argyll appeared on this occasion; and the night before she left that city she received intelligence that these noblemen had formed the design of murdering Darnley, and of seizing and imprisoning her on the following day, while they were on their journey to Edinburgh. On hearing this alarming news, Mary summoned the Earl of Atholl, and Lord Ruthven, who was sheriff of the county, to attend her next morning at daybreak with 300 horsemen; and travelling at full speed, she passed Lochleven, where her brother then was, long before he was aware of her approach. Two hours later Argyll appeared with his followers on the banks of the lake, but by this time

[1] Spottiswoode, ii. 30.

the queen had crossed the Forth, and was safe beyond the reach of the conspirators.

Among the attendants of the queen was Lord Erskine, an uncle of Murray, and on passing Lochleven that nobleman sent a message to his nephew, asking why the queen entertained at this time such strong suspicions of his loyalty. Murray, in reply, declared to his uncle that her suspicions were unfounded, and that sickness had prevented him attending the convention at Perth,[1] and still detained him at Lochleven. We know these particulars from Randolph, who was acting at the time in close concert with Murray.

We know from the same authority that to the queen Murray assigned a different reason for his absence —namely, that Darnley and his father, the Earl of Lennox, had conspired to murder him. As both these reasons cannot be true, we are naturally led to suspect that both may be false, and this suspicion is greatly strengthened by his subsequent conduct.

Upon hearing that he accused Lennox and his son of a design to murder him, the queen despatched messengers to her brother desiring him to come to Edinburgh and substantiate the charge. Murray replied that he could not come except at the risk of his life, upon which the queen transmitted a safe-conduct for himself and eighty followers. But he still declined to appear; and as he and his fellow-conspirators now

[1] He told his uncle "that the cause of his being there was the fluxes that took him at Edinburgh, *which stayed him from coming to St Johnston*" (Perth).—Randolph to Cecil, 4th July; Keith, ii. 314. Two days before, Randolph had written to Cecil that Murray would have come to Perth, but that he "was assuredly advertised that it was intended that he should have been slain there."—Keith, ii. 300.

relied on assistance from the Queen of England, which had been promised to them through Randolph and the Earl of Bedford,[1] marshal or governor of Berwick, they prepared to take up arms against their sovereign. In a letter addressed by Murray to Bedford at this time he says:[2] "We crave your lordship's comfort as of one to whom God hath granted to know the subtle devices of Satan against the innocent professors of the Gospel;" and he entreats him especially to assist them against the queen's friends in the Border country, from whom he apprehended the greatest danger to his party.

The only pretext, indeed, which Murray could put forward for his rebellion was, that the Reformed religion was in danger; and to this effect rumours were carefully spread abroad, as well in England as throughout Scotland. Upon these reports reaching the queen, she issued a proclamation denying in the most explicit terms any intention of interfering with the religion of her people; and she at the same time addressed letters with her own hand to various of the Protestant lords and gentry, declaring that all such rumours were utterly false, and that she never did and never would "impede or molest any of her subjects,"[3] in the free exercise of their religion, and reminding them of the policy she had invariably pursued since her return from France. At the same time the Crown vassals of twelve counties were summoned to assemble forthwith

[1] Francis, second earl; see Lodge, i. 431.

[2] See Keith, ii. 342. Randolph, the secret associate of the rebels, at the same time implored Cecil "to let loose some strapping Elliots upon Lord Hume," the queen's chief supporter on the Border.—Randolph to Cecil, 4th July; Record Office.

[3] Cotton MS. Caligula, book x. 325.

with arms and provisions for fifteen days. This step was taken in consequence of intelligence having been received that Murray and his adherents were arming in the west with the design of marching on the capital.

A few days after this proclamation was issued—namely, on the 29th of July—the queen was publicly married to Lord Darnley at Holyrood; and it is a striking proof of the unbounded affection which she entertained for him, that she immediately bestowed on him the title of king. It cannot be doubted that this step was alike imprudent and illegal; for Mary had no power to confer this title without the sanction of her Parliament. But such was the popularity she had acquired by her mild and equitable administration, and her amiable personal qualities, that no opposition was raised to this unprecedented stretch of the prerogative. Her subjects had long desired that she should marry, and the validity of the title which her extreme affection for her husband had induced her to bestow upon him was never seriously questioned. This circumstance enables us to test the value of the opinion and the testimony of Randolph, who had informed Cecil a few weeks before[1] that the queen, after her engagement with Darnley, had incurred the universal contempt of her subjects. We shall soon find further proof that he was grievously mistaken.

[1] Keith, ii. 300.

CHAPTER III.

FROM THE QUEEN'S MARRIAGE TO DARNLEY UNTIL THE MURDER OF RICCIO.

MURRAY and his adherents had retired from the Court solely, as they professed, on account of their disapproval of the queen's marriage. But failing in their attempt to break off the match, and fearing probably that they had advanced too far to recede with safety, they next determined to deprive their sovereign of her crown. Such revolutions were common in Scottish history; and relying on the religious sympathies of the people, as well as on the aid of the Queen of England, they commenced operations with excellent prospects of success. Their nominal chief was Chatelherault, the next heir of the crown, who, forgetting the queen's generous forgiveness of his past intrigues, allowed himself on this occasion to become the tool of Murray. Argyll was omnipotent in the West Highlands; and Glencairn, the most powerful nobleman in the south-west, although he had been present at the queen's marriage, and had even some days afterwards attended a Privy Council which ordered Murray to return to Edinburgh under pain of treason, proceeded immediately afterwards to join the insurgents. The Earl of Rothes, Lord Ochiltree, the father-in-law of Knox,

Lord Boyd, and Kirkaldy of Grange, at the same time took open part with the enemies of the queen.

Thus reinforced, the rebels advanced to the neighbourhood of Glasgow; but they speedily retreated on the approach of the queen, who, with a hastily-collected levy of 5000 horse, prepared to give them battle. She rode at the head of her troops with pistols by her side, and was accompanied by her husband and his father, the Earl of Lennox. Morton, the chancellor, was also present, although we know from subsequent events that his sympathies were with the rebels. The latter, although not venturing to face the royal forces in the field, now made a dash at Edinburgh, which they surprised and occupied with a body of 1300 horse. The expedition was planned and led by the best soldier in Scotland, the Laird of Grange. But they quickly found that they had entirely mistaken the feeling of the people. It was in vain that the leaders of the Congregation called on them to arm in defence of the "Evangel," which was, they declared, in the most imminent danger. All their efforts had no effect in lessening the queen's popularity; and although the men of Edinburgh were promised the most ample rewards, both in this world and in the next, if they would join in the rebellion, they stood obstinately aloof. Disappointed in the quarter where they least expected, the insurgents retreated rapidly by way of Lanark towards Dumfries, intending there to await the promised aid from England. While Murray and Kirkaldy were thus engaged, Argyll plundered in the most merciless manner the earldom of Lennox,[1] which adjoined his own possessions.

[1] Paul de Foix, the French ambassador in London, to Catherine de Medici, 18th September 1565; Teulet, ii. 226.

The queen was preparing to follow the insurgents to Edinburgh, when she heard of their hasty retreat to the south. Thus assured of the loyalty of the capital, she advanced by way of Stirling into the Protestant county of Fife, where the rebels had many secret sympathisers; and at St Andrews the noblemen who were in arms against her were publicly proclaimed traitors. She then crossed the Tay and imposed a fine of 2000 merks on the town of Dundee, the provost of which was an avowed partisan of Murray. At the same time that this penalty was inflicted, a proclamation was issued stating that many persons had been induced to join the rebels in the belief that the Reformed religion was about to be overthrown, but that all such reports were false and groundless, and that all privileges enjoyed by the Protestants would be confirmed by the Parliament which was shortly about to meet.[1] The queen and her husband returned to Edinburgh by way of Perth and Dunfermline, and reached Holyrood on the 19th of September, after an absence of nearly a month, during which time the rebels never ventured to make a stand against the royal forces.

Before her return to Edinburgh, Mary had applied to the King of Spain[2] to aid her in suppressing the rebellion, the leaders of which, she truly said, were seeking to deprive her of her crown. Whether she was justified in taking a step of such importance may be matter of dispute; but it is to be observed that her enemies had both sought and obtained foreign aid

[1] Keith, ii. 368, note.

[2] See her letter of 10th September 1565.—Lettres inédites de Marie Stuart; Labanoff, 303.

before she applied to Philip. She knew that Elizabeth had furnished money to the rebels, and that they confidently expected from the same quarter a supply of troops. Elizabeth had further evinced her sympathy with the insurgents, and her hostility to her sister queen, by sending Darnley's mother, the Countess of Lennox, to the Tower. Mary had every reason, therefore, to conclude that the Queen of England intended to adopt the cause of the insurgents as her own; and she appealed to Philip and to her brother-in-law, the King of France, on the broad ground that it was the duty of all princes to resist such lawless proceedings.

Before an answer could be received from Spain, Castelnau had arrived in Edinburgh as ambassador from France; but, to the infinite surprise and disappointment of the Scottish queen, the French envoy, acting no doubt under the instructions of Catherine de Medici, earnestly recommended her to make peace with the insurgents. Mary did not fail to detect the real object of this treacherous advice, and she had the spirit and the prudence to reject it on the spot. She told Castelnau that she would rather lay down her life than become the vassal of her rebellious subjects, and see her native kingdom, which had ever been a monarchy, converted into a republic. She was grievously disappointed at the message of her brother-in-law, for to him she had looked with the utmost confidence for help; and she took occasion to remind his ambassador, with much animation, of the services which in times past her countrymen had rendered to the kings of France. She finally declared that she could neither with the honour nor the security of her crown adopt

the recommendation he had been instructed to make to her.[1]

Mary was never more clear-sighted and self-possessed than in the presence of immediate danger, and she seems to have acted on this occasion entirely on her own responsibility. Morton, her chancellor, whose sympathies were known to be with the rebels, had retired at this time to one of his castles; and we learn from the French envoy that, although Maitland remained at Court, he too was justly regarded with suspicion.[2] But the wisdom of the queen's decision was speedily proved by the result. She was no doubt by this time assured of her power and popularity, and to have come to terms with men who were in open rebellion would have been a confession of weakness which no friend could have recommended her to make. The course taken by the French ambassador can only be explained by the deadly dislike entertained by Catherine de Medici of her daughter-in-law, through whom she sought to inflict a fresh humiliation on the house of Guise.

Elizabeth meanwhile regarded with much uneasiness the progress of events in Scotland. The insurgent lords had boasted loudly of the number and strength of their adherents; yet they had not only accomplished nothing, but they were daily begging for assistance, without which it was becoming obvious that their enterprise must be speedily abandoned. Paul de Foix, the French ambassador in London, had

[1] Letter of Mauvissière; Teulet, ii. 251. In the same letter he says of Darnley, "Il n'est possible de voir un plus beau prince;" but he seems to have taken no part in the discussion with the ambassador.

[2] Teulet, ii. 255.

discovered that 6000 crowns had been sent from the English treasury to the rebels in the north; and he mentioned the fact to Elizabeth in person, but she most solemnly assured him that he was misinformed.[1] Subsequently to this, Robert Melvill,[2] an emissary of the insurgents, arrived in London, and after various meetings of the Council, the French ambassador ascertained that he obtained £2000.[3] It was also debated in Council whether it would not be advisable to send a body of troops to Scotland; but, as usual, Elizabeth could not definitively make up her mind. As a measure of precaution, however, and lest her rival should be provoked by her treacherous policy to cross the Border, she ordered up to Court the three northern earls of Northumberland, Cumberland, and Westmoreland,[4] representing the great houses of Percy, Clifford, and Nevill, who all still adhered to the old religion, and were all suspected of favouring the claims of the Queen of Scots.

The Earl of Bedford, a most zealous Protestant, was eager to take part with the insurgents; and in obedience to the hint he had received from Murray, he had threatened to attack Lord Hume, the most powerful partisan of Queen Mary on the eastern border. But Elizabeth rebuked the indiscreet zeal of her warden, and ordered him to take no step that might lead to a breach between the two countries. She authorised him, however, to furnish Murray with £1000 and with 300 soldiers—a number, we need hardly say, absurdly inadequate for the occasion. Bedford was further in-

[1] "Elle nya avec serment."—Teulet, ii. 225.
[2] A brother of Sir James, the author of the Memoirs.
[3] Letter of Paul de Foix of 11th October; Teulet, ii. 239.
[4] Ibid., 233.

structed to send these troops "as if from himself," and "in the most secret sort possible," so that his mistress might not be compromised in any way; for she assured him that she had no intention, for many reasons, "to maintain any prince's subjects to take arms against their sovereign."[1]

Bedford accordingly, to avoid suspicion, sent the troops by small detachments to Carlisle, to be in readiness to move northwards. But by this time the cause of the insurgents was hopeless. In the beginning of October Mary left Edinburgh at the head of a feudal army of 18,000 men; and the rebels, being wholly unable to make head against such a force, speedily dispersed as she approached Dumfries. The greater number of the leaders, including Murray, fled to Carlisle, where they were hospitably received by Bedford. But Elizabeth had now to play a part which taxed her ingenuity to the utmost. She had secretly encouraged and supported the fugitives in their rebellion, yet it was necessary to repudiate in public all such dealings; and on hearing of their arrival in her dominions, she forbade them, in a tone of lofty displeasure, to approach her person.[2]

Shortly after Mary's marriage, Elizabeth had required her to send her husband back to England, of which country he was a born subject. The bearer of this extraordinary message was John Tamworth, a gentleman of the privy chamber; but Mary, having been apprised beforehand of the nature of his commission, declined to see him, and desired him to put his message in writing. In refusing this preposterous

[1] See her letter in Robertson, Appendix, No. xiii.

[2] Lingard, vol. vi. chap. ii.

demand, Mary recommended to her sister queen to content herself with the government of her own dominions, instead of stirring up mischief among her neighbours. Tamworth, who appears to have been a vain, arrogant man, and had probably been selected for the mission on that account, refused a safe-conduct on his leaving Edinburgh, because it was signed by Darnley as well as by the queen. But he paid dearly for his folly; for on his journey homewards he was seized as a vagrant by Lord Hume, and detained a prisoner for several days. Randolph complained of the treatment of his countryman; but Mary replied, that as he had refused a safe-conduct, he had no one to blame but himself.[1]

Murray, accompanied by Gavin Hamilton, Abbot of Kilwinning, had taken his departure for London before it was known that Elizabeth had forbidden his presence at Court. On hearing of his approach, she had recourse to an expedient of a highly characteristic kind. The French and Spanish ambassadors had charged her in plain terms with stirring up dissensions in Scotland, with the purpose of averting them from her own dominions, and she resolved to reply to this accusation in the most public and emphatic manner. Summoning Murray and his companion to appear at Court, she asked them, in presence of the two ambassadors and of her ministers, whether she had ever at any time encouraged them in their rebellion. Murray began to speak in Scotch, when the queen interrupted him by desiring that he would speak in French, which she better understood. The scene had been arranged beforehand; and, falling on his knees, he declared "that

[1] Keith, ii. 355.

her majesty had never moved them to any opposition or resistance against their queen's marriage." "Now," exclaimed Elizabeth, in her most triumphant tone, "you have told the truth; for neither did I, nor any in my name, stir you up against your queen, for your abominable treason may serve for example to my own subjects to rebel against me. Therefore get you out of my presence; ye are but unworthy traitors."[1] But we have clear proof that this astounding exhibition of meanness and falsehood and folly, imposed upon no one who witnessed it.[2]

The energy and prudence displayed by the Scottish queen in suppressing this dangerous rebellion, go far to refute a prevalent notion that she was indebted to the counsels of Murray for the previous success of her administration. It is admitted even by those who hold this opinion, that at no period of her career were her abilities and address more conspicuous.[3] And her moderation in success was still more remarkable than the resolution which enabled her to achieve it. Not one of the rebels suffered death; and her speedy pardon of the Duke of Chatelherault, who had so repeatedly conspired against her crown, of which he was presumptive heir, was an instance of generosity unexampled in the history of princes. The Earl of Argyll, the Master of Maxwell, and other rebel chiefs, were treated with equal lenity. But the ingratitude and treachery of Murray had excited her resentment to such a degree that she refused to listen to all solicitations—those of Elizabeth included—on his behalf.

[1] Keith, ii. 378.

[2] See letter of De Silva to Philip, November 5, quoted by Mr Froude, viii. 213.

[3] Robertson, ii. 123.

This refusal, which, under the circumstances, was both natural and just, has been magnified by Randolph, with mysterious malignity, into something very terrible,[1] and by a modern German author into something more dreadful still. But in spite of her calumniators, contemporary as well as modern, it would have been well for Mary Stewart if she had persisted in refusing to overlook her brother's treachery. We learn, however, from Randolph himself,[2] that she soon began to relent; and we know that within six months after his flight to England she was imprudent enough to receive once more into her confidence the man who had deliberately plotted her destruction.

During the operations against the rebels the Earl of Bothwell had been allowed to return to Scotland. Lord Gordon, who had remained in prison ever since his father's rebellion, at the same time obtained his liberty. He had embraced the Protestant faith during his confinement, but this circumstance did not prevent the queen from restoring to him the forfeited earldom of Huntly.[3] The Earl of Sutherland, who had been implicated in the rising of the Gordons, and who after-

[1] See a letter of Randolph, who had now entirely espoused the cause of the rebels. See also a new and monstrous calumny invented by M. Von Raumer against the Queen of Scots, but which no one seems to have adopted but himself.—Von Raumer's Elizabeth and Mary, 69.

[2] "Towards my Lord of Murray I find that some part of her extremity is assuaged. She neither useth so grievous words as she hath done, nor so impatient to hear him spoken of."—Letter to Cecil, 24th January 1566; Stevenson, 151.

[3] "The queen said to Huntly, 'My lord, go with me to mass; your father and mother were of this religion, and your enemies the contrary. I have restored you to your liberty and lands.' He said, 'Madam, I will spend my life and fortune in your service; but as to mass I desire to be excused.'"—Drury to Cecil, 16th February 1566.

wards had fled to Flanders, was also permitted to return to Scotland. These nobles were all possessed of great territorial influence, and they formed an important accession to the party of the queen. To all appearance her position was now more secure than at any period since her return from France. The ease and rapidity with which she had suppressed Murray's rebellion, aided though he had been by the chiefs of the Protestant faction, furnished conclusive proof that, in spite of her religion, she had won the affection of all classes of her subjects; and if her husband had possessed even a very moderate share of prudence, her marriage must have added greatly to her popularity. But it was soon discovered that Darnley was a most unhappy compound of insolence and imbecility. The imperious airs which he assumed led Randolph to predict more than once that, if he did not mend his manners, he should have but a short life in Scotland;[1] and his habits of dissipation,[2] and total incapacity for business, convinced the queen, when it was too late, of the error she had committed in bestowing upon him

[1] "People have small joy in this new master, and find nothing but that God must either send him a short end or them a miserable life." —Letter to Cecil, 3d June 1565; Keith, ii. 291.

"What shall become of him" (Darnley) "I know not, but it is greatly to be feared that he can have no long life amongst this people. He is counted proud, disdainful, and suspicious, which kind of men this soil, of any other, can worse bear."—2d July; Keith, ii. 299.

[2] "Mons. de la Roc Paussay and his brother arrived here yesterday. He is sick, my Lord Darnley having made him drink of *aqua composita*" (query, whisky?) "All people say that Darnley is too much addicted to drinking. It is certainly reported there was some jar betwixt the queen and him at an entertainment in a merchant's house in Edinburgh, she only dissuading him from drinking too much himself and enticing others; in both which he proceeded, and gave her such words that she left the place with tears," &c.—Drury to Cecil, from Berwick, 16th February 1566.

the title of king. It was at this critical period that Riccio rose high in favour with his mistress. The office which he held—that of secretary for the queen's French correspondence, was one which had previously been filled by a foreigner and a Papist named Raulet without creating any jealousy among the courtiers. But Riccio was an able and accomplished man, thoroughly versed in the troubled politics of the day; and the queen, who seems to have placed implicit confidence in his integrity, was in the habit of consulting him on the most important affairs. The Italian has been accused of assuming at this time the most offensive and disdainful airs even towards the chief nobility; but these accusations rest only on the authority of his assassins, and their apologists Knox and Buchanan. Melvill, who was also a stanch Protestant, and who, from his residence at Court, had much better means of information, says nothing of Riccio's arrogant demeanour to the nobles, but he describes in very graphic language their rude and rough behaviour to him. They would not only frown fiercely upon him, but would thrust him bodily aside when they encountered him at Court.[1] The poor secretary complained to Melvill on the subject, and he gave him some very sensible advice. Indeed Melvill speaks of him in the most friendly terms throughout.

Riccio was hated because he had gained the confidence of the queen, and because she, unaccustomed or unable to conceal her real sentiments, made no secret of the value she placed upon his services. Mr Froude justly remarks, with reference to the favour she showed to Riccio, that Mary was "warm and true

[1] Melvill's Memoirs, 54.

in her friendships."[1] It is easy to say that it was indiscreet to repose such confidence in this friendless foreigner: it is less easy to point out among her turbulent and treacherous nobles a single man whom she could trust.[2] In seeking elsewhere for fidelity and loyalty, she followed the example of her father. Like him, too, she soon experienced the fatal consequences of offending an aristocracy jealous to the last degree alike of its own privileges and of the authority of the Crown.

Darnley, previous to his marriage, had found a firm and powerful friend in Riccio. The astute Italian did not fail to perceive that the alliance of his mistress with the first prince of the blood in England was, all circumstances considered, the most advantageous that she could make.[3] But an incident happened soon after the marriage which entirely changed the feelings of Darnley towards the secretary. Not content with the title of king, which Mary had so imprudently bestowed on him, he demanded in addition, at the instigation of his father, the crown-matrimonial, which would have secured to him the privileges of royalty during his natural life. Mary, by the advice of Riccio, resisted this fresh demand; and this opposition to his

[1] History, viii. 191, note.

[2] It was, in all probability, with reference to the envy entertained of Riccio by the nobles, that Mary wrote the memorandum, printed by Labanoff, vii. 297, in which she asks if the nobles, whether they inherit the virtues of their ancestors or not, are to monopolise all the power in the State. "If," she says, "the sovereign finds a man of humble condition and poor in worldly goods, but of a generous spirit and faithful heart, and capable of serving the State, must he be debarred from all advancement," &c.? It appears that Mary was as far in advance of her subjects in her notions of political justice as she was in her notions of religious toleration.

[3] Melvill gave the queen the same advice in very decided terms.—Memoirs, 56.

will effaced in the feeble mind of Darnley all memory of past obligations, and led him to regard as his worst enemy the man to whom he was probably indebted for the title he possessed. Morton and Maitland, who had been the secret associates and were still the secret friends of the rebel lords, still held the highest offices in the kingdom, and they did not fail to turn to the profit of their banished comrades the volatile and violent temper of the king. Darnley had hitherto strenuously opposed the pardon of the rebels, but hatred of Riccio now induced him to join the powerful party who had secretly supported them in their rebellion, and who had since attempted, to the utmost of their power, to screen them from the consequences of their crime. It was necessary, with this object, that the Parliament which had been summoned to meet in the spring of 1566, for the purpose of attainting the rebels, should not be allowed to assemble. It was therefore resolved, that before the time appointed for its meeting Riccio should be murdered, that the queen should be made a prisoner, and that the conspirators, with Darnley as king, should thereafter seize upon the government.

While these nefarious schemes were in preparation, two special envoys arrived from France to congratulate the queen upon her marriage. She at the same time received a message from Spain of a very secret and important character. The leading Catholic powers had at this time entered into a confederacy for the suppression of Protestantism, and the Queen of Scots was invited to join it. It is highly probable, though we have no proof of the fact, that Philip required her assent to the league as the price of the assistance

which during the late rebellion she had sought at his hands. Whether or not this was the case, we are assured that, forgetting her solemn and oft-repeated promises to her Protestant subjects, she was induced to become a party to this dangerous confederacy. "To this fatal resolution," says Robertson, "may be imputed all the subsequent calamities of Mary's life."[1] The same opinion is expressed in still stronger terms by Mr Tytler. "In an evil hour," he says, "she signed the league." And he adds: "This may, I think, be regarded as one of the most fatal errors of her life, and it proved the source of all her future misfortunes. She united herself to a bigoted and unprincipled association, which, under the mask of defending the truth, offered an outrage to the plainest precepts of the Gospel," &c.[2] It is also asserted by Mr Froude[3] that the Queen of Scots at this time signed the Catholic league. Before proceeding with our narrative, it is necessary to examine the evidence upon which this very serious charge has been made.

It consists of a single passage in a letter written by Randolph to Cecil on the 7th of February 1566. It is to the following effect: "There is a band lately devised, in which the late Pope, the Emperor, the King of Spain, the Duke of Savoy, with divers princes of Italy, and the queen-mother, suspected to be of the same confederacy to maintain Papistry throughout Christendom. This band was sent out of France by Thornton, *and is subscribed by this queen*, the copy thereof remaining with her, and the principal to be returned very shortly,

[1] History, ii. 144. [2] History, vii. 20.

[3] History, viii. 235. He also says that France was a party to the league, which at this time was certainly not the case.

as I hear, by Mr Stephen Wilson, a fit minister for such a devilish device. If the copy hereof may be gotten, that shall be sent as I conveniently may."[1] It is to be observed that Randolph spoke only from hearsay, for he does not say that he had seen either the "band" itself or the copy. It is also to be borne in mind that the whole of his correspondence betrays at this period a spirit of bitter hostility to the queen, and that she sent him out of Scotland very shortly afterwards on account of his notorious dealings with her rebel subjects. On a point of such interest we want some better evidence than the hearsay testimony of such a witness.

But none such exists. On the contrary, the Earl of Bedford apprised Cecil a week later that Randolph had been misinformed. The letter of Bedford, which is dated the 14th of February, contains the following passage: "There is a league concluded between the King of Spain, the Duke of Savoy, and divers other Papist princes, for the overthrow of religion, as you shall hear more by others, which is come to this queen's hand, *but not yet confirmed*."[2]

The question remains, whether it was confirmed at any subsequent period; and this has not been asserted by Randolph or by any other person. If the Queen of Scots had joined the league, the fact could not have

[1] Robertson, iii. Appendix, 315.

[2] Stevenson's Illustrations, 159. Bedford, who was at Berwick, probably forwarded in this letter the very letter of Randolph which he contradicts. He says at the commencement, "I send you herewith Mr Randolph's letters, whereby you shall, I doubt not, understand the whole state of things there." It is to be observed that he has taken the description of the league from Randolph's letter, but with the important distinction that it was still unsigned. Bedford probably derived this additional information from Randolph himself.

been long concealed, and her enemies would not have failed to make it a just and constant matter of reproach. As it is, the Protestant historians of the period—Knox and Buchanan in Scotland, Camden and Holinshed in England, and De Thou in France—are all absolutely silent on the subject.

In addition to this strong negative testimony, we have positive testimony from contemporary Catholic sources as to the powers which did join the league. These were the Pope (Pius V.), the Emperor, the Kings of Spain and Portugal, the Dukes of Bavaria and Savoy, and the republic of Venice.[1] Neither France nor Scotland, therefore, were at this time parties to the league.

From documents recently brought to light, we find that Catherine de Medici, although invited to join it, stood persistently aloof. The famous interview between her and the Duke of Alva took place at Bayonne during the previous summer, and the Duke loudly complained of her obstinate refusal to join the religious league.[2] She was wholly occupied, he says, in forming matrimonial schemes for her daughter. But the subtle Florentine had another motive for the apathy with which she listened to the pious arguments of Alva. It was her policy at this time to hold the balance between the rival religions. By oppressing Condé and the Protestants, she would have restored the Cardinal of Lorraine and his brothers to the unbounded influence they formerly possessed.

Upon the whole, we may conclude, from the letters of Randolph and Bedford, that an attempt was made

[1] Gonzales, Apuntamientos, 322.

[2] Papiers d'Etat du Cardinal de Granvelle, ix. 312, 324.

at this time by Philip to induce the Queen of Scots to join the Catholic league; and we may conclude, from the absence of all further testimony on the subject, that she declined to do so. Irrespective altogether of her engagements to her subjects, we may assume that she was actuated by two powerful motives in arriving at this decision. In the first place, she no longer required the aid of the King of Spain, for she had succeeded in completely suppressing Murray's rebellion with her own resources. In the second place, as France had not joined the league, she would naturally be indisposed to take a step of such importance without the example and concurrence of her great Continental ally.

But it cannot be denied, on the other hand, that she had very powerful inducements to join the Catholic confederacy. Her religious sympathies were always strong; and when we consider the innumerable provocations which she had received from the Protestant faction since her return to Scotland—the plots of the nobles, the insolence of the preachers, and the incessant intrigues of Elizabeth—it is not easy to overrate the strength of the temptation to which she was exposed. There was not a man in all her dominions to whom on the occasion she could look for friendly counsel. The influence of Riccio at this time was great, and we cannot doubt that he did his utmost to induce the queen to join the league. If her husband was intrusted with the secret, which is very doubtful, his rash and intolerant temper must have prompted him to second the advice of the Italian. Her Catholic advisers could not fail to represent that her refusal to join the confederacy would alienate her friends with-

out conciliating her enemies; and the whisperings of ambition, as well as the memory of bitter wrongs, might have tempted many a wiser sovereign than Mary Stewart to hail the proffered opportunity of victory and vengeance. A spirit of disaffection prevailed at this time throughout the dominions of her rival which might have been readily turned to serious account. The northern English counties, as subsequent events proved, were ripe for rebellion; and the great Irish chieftain O'Neal had made proffer of his friendship and allegiance to the Queen of Scots. Never did such a weight of responsibility rest upon a young and friendless woman. Upon her decision it depended whether or not a terrible religious war should be kindled, not in Scotland alone, but throughout the British kingdoms—a war similar to that which had already burst forth in France, and which in the following century desolated Germany for thirty years. Every passage in the life of the Queen of Scots has been ingeniously misrepresented by the persevering malice of her enemies, but they will find it difficult to suggest an unworthy motive for her conduct on this occasion. By refusing to join the Catholic league, she maintained her solemn promises to her Protestant subjects—the chief of whom, we shall find hereafter, remained her stanchest friends in the days of her misfortune—she averted the demon of religious discord from her dominions; and posterity will applaud the wisdom as well as the magnitude of the sacrifice which she made at this momentous crisis.

Buchanan attributes the murder of Riccio to the jealousy of Darnley and the hatred of the nobles; but we now know that personal vengeance was but a

secondary object with the conspirators who contrived his death, and that they regarded that only as a step to the main objects which they had in view, and which were, in fact, the restoration of the rebel lords, the deposition of the queen, and the elevation of Darnley to the vacant throne.

From a statement made by two of the conspirators, and therefore to be received with extreme suspicion, it appears that Darnley first communicated to his bastard uncle, George Douglas,[1] his design of murdering Riccio. Douglas then sought counsel of Lord Ruthven, who was married to a kinswoman of the house of Angus, and who was consequently related to the king. Ruthven, well knowing the weak and fickle character of Darnley, refused to join in any enterprise unless he would solemnly swear to conceal it from the queen. To this Darnley at once consented. Ruthven further demanded, as a condition of his taking part in the conspiracy, that "the lords banished for the Word of God might return to their country and estates."[2] To this Darnley also agreed, on the understanding that they, as well as the conspirators in Scotland, should undertake to obtain for him the crown-matrimonial, which was at this time the grand object of his ambition. We have here apparently the true reasons for the murder of Riccio. He had advised the queen to refuse the crown-matri-

[1] A natural son of the Earl of Angus, who married Margaret Tudor. But Melvill, who was at Court at the time, says, with more probability, that it was George Douglas, at the instigation of Morton, who "put in his" (Darnley's) "head such suspicions of Riccio that the king was prevailed with to give his consent to his slaughter."—Memoirs, 64.

[2] Ruthven and Morton's Narrative; Keith, iii. 261.

monial to Darnley, and he had advised her to forfeit the estates of Murray and his accomplices as the just punishment for their rebellion. So far as we can judge, at this distance of time, the advice of the secretary upon both points was sound and honest. Darnley had proved himself to be wholly unfit to rule; and to have passed unpunished the flagrant treason of Murray would have been, in the eyes of any politician of the sixteenth century, an act of unpardonable weakness. Darnley and the banished lords had thus a common interest in the destruction of Riccio, and they both, no doubt, on that account readily assented to the plot.

The preliminaries of the conspiracy being arranged, it was next communicated to Lord Lindsay—who, like Ruthven, was also married to a lady of the family of Douglas—and to the Earl of Morton, the most powerful member of that great house, and chancellor of the kingdom. Crafty and smooth, yet resolute and enterprising, this high functionary was readily induced to embark in an undertaking which promised to gratify both his avarice and his ambition. None of the Scottish nobles had shared more largely in the plunder of the Church, none made louder professions of religion, and none were more dissolute in private life than Morton. It had been whispered that, in the Parliament which was about to meet, the Crown would resume possession of certain lands which he had improperly obtained. Morton was therefore as desirous as the rebel lords that it should not assemble at the time appointed. He further made it a condition of his aiding the conspirators, that Darnley and his father should give up all claim to the immense possessions

of the house of Angus, and that these should be settled on the young earl, who was at this time a boy of eleven, and of whom Morton was both the uncle and the guardian.[1]

So far the conspiracy assumed the character of a family compact. It seemed to owe its existence to the hereditary enmity of the house of Douglas to that of Stewart. But it aimed at a revolution of such consequence, that it was deemed necessary to communicate the designs of the conspirators not only to the chiefs of the Protestant party, but to the English resident in Scotland. In a letter addressed by Randolph to his friend and patron Dudley, now Earl of Leicester, on the 13th of February, he expresses himself as follows: "I know that there are practices in hand, contrived between the father and son, to come to the crown against her will. I know that if that take effect which is intended, David, with the consent of the king, shall have his throat cut within these ten days. *Many things grievouser and worse than these are brought to my ears; yea, of things intended against her own person,* which, because I think better to keep secret than to write to Mr Secretary, I speak of them but now to your lordship."[2]

Between the date of this letter and the execution of the plot there was ample time for Leicester and his colleagues to have warned the Scottish queen of the danger which threatened her; but from their silence, and still more from the subsequent conduct both of Randolph and Bedford, we are forced to conclude that the designs of the conspirators were approved by Elizabeth.

[1] Melvill, 148.

[2] See Tytler, vi. 334.

Randolph, a few days after he had written to the Earl of Leicester, was detected supplying money to the chief of the conspirators, Murray.[1] On being summoned before the Privy Council, and confronted with the man to whom he had given the money, the language of the English envoy was so defiant, that he must have considered the success of the intended plot and the speedy return of his friends, the banished lords, as certain. To the charge made against him he said he was responsible only to his own Government, and he even declared that he would not quit his post. But Mary acted with becoming spirit on the occasion. She sent him off forthwith to Berwick under an escort, and complained to his mistress of his extraordinary conduct.[2]

The next step of the conspirators was to come to terms with the rebel leaders, who had taken up their residence in Newcastle; and thither the Earl of Lennox was despatched with two bonds, the one already signed by his son, and the other for the signature of Murray and his friends. That Lennox was allowed to visit England at this time, while his wife was a prisoner in the Tower, affords additional proof of the connivance of Elizabeth in the plot. By the first bond Darnley bound himself to obtain their complete pardon "as soon as by their help and supply he obtained the crown-matrimonial." He further engaged that they should be restored to the full enjoyment of their estates and titles, and that they should be allowed the free exercise of their religion. The second bond, which was signed by Murray and his friends on the 2d of

[1] It was Murray who first signed the bond for Riccio's murder.
[2] Tytler, vii. 20.

March, bound them, at the first Parliament after their return, "to grant the crown-matrimonial to Darnley all the days of his life;" and further, to maintain the said noble prince in his just title to the crown of Scotland, "*failing of succession of our sovereign lady.*" In other words, he was to be preferred in the succession to the Duke of Chatelherault,[1] with whom Murray had conspired only a few months before to dethrone Darnley.

The following significant clause follows the obligation to maintain Darnley as next heir to the queen: "And if any manner of persons will usurp or gainsay the said just title, the said lords shall maintain, defend, and set forward the same *as best shall please the said noble prince,* without fear of life or death; and shall seek and pursue them that usurps as shall please the said noble prince to command, *to extirpate them out of the realm of Scotland, or take or slay them,*"[2]

On Sunday the 3d of March commenced the national fast, and on that day the denunciations of idolatry from the pulpits of Edinburgh were more than usually violent. The texts were chosen from those portions of Scripture which describe the vengeance incurred by the persecutors of God's people; and from the inflammatory language used, we may conclude that the fact of the plot had been communicated at least to some of the clergy, and that they took this mode of preparing the public mind for the expected revolution.

[1] The duke was at this time in France.

[2] The original of this bond is in the charter-chest of the Earl of Leven, and is entitled, "Ane band maid by my Lord of Murray, and certain other noblemen with him before the slauchter of Davie." It is signed by Murray, Glencairn, Argyll, and Rothes, and Lords Boyd and Ochiltree.—Maitland Club Miscellany, iii.

A few days later Elizabeth received further intelligence of the impending plot. On the 6th of March Bedford and Randolph wrote jointly to their mistress from Berwick, "that a matter of no small consequence was about to take place in Scotland." They added, "We hope that by this means my Lord of Murray shall be brought home without your majesty's further suit or means to the queen his sovereign, and thereupon we have thought it good to stay the sending of your majesty's letters in his behalf."[1] The fact of their keeping back the letters of their mistress is a clear proof of the confidence entertained by Bedford and his colleague in the success of the conspiracy.

On the following day, the 7th of March, the Parliament was opened by the queen in person. It was in vain that she entreated Darnley to accompany her. Until he obtained that cherished object of his ambition, the crown-matrimonial, he appears to have been resolved not to appear before the representatives of the nation. He rode off to Leith attended by his boon companions, leaving the queen to appear alone at the Tolbooth, where the Parliament was assembled. The only business of importance transacted on the day of its opening was the summoning of the rebel lords to appear on the 12th of March, under pain of the forfeiture of their titles and estates.

To defeat this measure the conspirators now proceeded to the execution of their plans. Considering the number of persons who were in the secret, it is surprising that it should never in any shape have reached the ears of the queen. Riccio, it is said, was apprised of his danger by a French astrologer; but,

[1] Record Office.

being of a cheerful and lively temper, he disregarded and even derided the friendly warning. It is probable that Darnley may have heard that Riccio had received some private intelligence on the subject, for it is said that he played tennis with his victim on the day before the murder with the object of lulling all suspicion.[1]

It had been at first proposed to put Riccio to death in his own chamber, but we are informed by Morton and Ruthven[2] that Darnley insisted that the deed should be committed in the presence of the queen. His accomplices were probably not unwilling to gratify his wish, as the murder of the favourite in the presence of the sovereign might lead the people to suspect that the alleged jealousy of her husband was not without foundation. Nor could the chief conspirators have been blind to the danger of committing such an act of violence before the eyes of a woman who was in the sixth month of her pregnancy. But we have seen that the contingency of the queen's death was expressly provided for, and that in that event Darnley would have been immediately proclaimed her successor, to the exclusion of the house of Hamilton.

The evening of Saturday the 9th of March was fixed by the conspirators for the execution of their project; and as soon as it was dark, Morton, with 160 armed

[1] Miss Strickland, Lives of the Queens of Scotland.

[2] Narrative. It is far more probable that this suggestion came either from Morton himself or at least from some one of the conspirators more intelligent than Darnley. In a memoir upon the subject of Riccio's murder preserved at Florence, and sent from Scotland at the time, it is said that it was at first proposed to kill Riccio while he was playing at tennis, but that one of the conspirators suggested instead that he should be killed in presence of the queen, in order to cast suspicion in the eyes of the people upon her honour. —Labanoff, vii. 86.

retainers, quietly took possession of the inner court of the palace and secured the outer gates. Darnley had supped earlier than usual, and on entering her chamber by a private staircase, he found the queen still at table with the Countess of Argyll. Riccio, Arthur Erskine, captain of the guard, and several other persons, were also present. Darnley seated himself by the queen, and, placing his arm round her waist, seemed more than usually amiable. But she was speedily startled by the appearance of Ruthven, who, clad in full armour, had followed the king up the private staircase, and who, ghastly pale from a disease which soon afterwards proved fatal, had gathered up his dying energies for the part assigned to him in the bloody drama. The unhappy secretary recoiled from the unwelcome visitor, and instinctively took refuge behind the queen's chair. George Douglas and other of the conspirators now entered the room, and the queen, turning to her husband, asked whether they had come by his invitation. He answered in the negative, while some of the conspirators advanced to seize their prey. But the queen, rising from her seat, confronted the assassins, and commanded them instantly, upon pain of treason, to quit her presence.[1] The conspirators hung back, disconcerted by this unexpected display of self-possession; and Darnley in particular, to use their own words, "wist not what to do." At this critical time the well-known war-cry of the Douglas, a sound that was rarely welcome now to the ears of Scottish monarchs, was heard ringing through the palace. It proceeded from the followers

[1] See Mary's letter to the Archbishop of Glasgow, in Keith, Melvill's Memoirs, and the Narrative of Morton and Ruthven.

of Morton, who, impatient of delay, were crowding up the main staircase to the queen's apartments. Encouraged or reproached by the shouts of his clansmen, George Douglas now rushed past the queen and stabbed Riccio with his dagger. Another ruffian, Ker of Faudonside, held a cocked pistol to her breast. In the confusion the supper-table was overturned, the lights extinguished, and the hapless victim of brutal prejudice and bigotry, whose only crime was fidelity to his mistress, was dragged from her presence and instantly butchered on the landing outside her apartments. So eager were his assassins, that some of them even stabbed each other in their fierce haste to shed the blood of the idolater.[1]

The Earls of Bothwell, Huntly, and Atholl were at supper in another part of the palace. Hearing the tumult, and apprehensive for the safety of the queen, they hastened to the inner court with their servants and retainers, and forthwith assailed the followers of Morton. Ruthven repaired to the spot as fast as his feeble frame could carry him, and calling Huntly and Bothwell aside, assured them, by all that was sacred, that the queen was safe, and that everything had been done with the sanction of the king. Thus assured, the two earls consented to retire to their apartments. But on learning that Murray, the declared enemy of both, was expected to return to Scotland immediately, they contrived in the course of the night to make their escape.

Another attempt, which proved equally unsuccess-

[1] Drury says that one of Ruthven's followers came to Berwick with his arm bound up in consequence of a wound received in this way.—27th March, Drury to Cecil.

ful, was made on the queen's behalf. The Provost of Edinburgh, accompanied by a body of armed citizens, proceeded immediately to the palace on hearing that she was in danger, and finding the gates locked, insisted upon seeing their sovereign. Mary would gladly have shown herself to her loyal subjects from her apartments, which were on the second floor of the palace; but the conspirators, some of whom never left her side, declared that if she ventured to approach the window they would "cut her in collops"[1] and throw her over the wall. They deputed Darnley meanwhile to pacify the people, by declaring to them that the queen was safe and well, and that the sole cause of the disturbance was the just punishment of an enemy of their religion and a pensioner of the Pope. As that personage was believed in Scotland to be the accredited representative on earth of the devil, the artifice succeeded, and the people were induced to return to their homes.

Indignation at the atrocious outrage to which she had been subjected, and grief for the loss of her faithful servant, seem at first to have prevented the queen from realising the perils of her situation; and the passionate reproaches with which she assailed the conspirators after the murder, relieved, no doubt, the violence of the shock she had received.[2] She forgot,

[1] See her letter to her ambassador in Paris, in Keith.

[2] Ruthven and Morton, in their Narrative prepared at Berwick for the use of Cecil, state that the queen used the most threatening language to Darnley, declaring that she would cause him "as sorrowful a heart" as he had caused to her; and many historians have adopted as genuine the testimony of two men who were not only fresh from the commission of this atrocious crime, but who were the queen's worst enemies. To treat as absolutely authentic such testimony is clearly opposed to the simplest rules of evidence.

while giving vent to her natural feelings of sorrow and resentment, that she was a prisoner in her own palace, and surrounded by assassins, of whom her husband seemed to be the chief. But in the course of the night such complete prostration followed that her attendants were in the utmost alarm lest premature labour should commence. Their fears were not realised. The excellent constitution of the queen enabled her to surmount the first of the dangers, to which it was the obvious intention of the conspirators to subject her.

The latter lost no time in proceeding with the execution of their plans. On the day following Riccio's murder the Parliament was dissolved by a proclamation issued in the name of the king alone; and all prelates, peers, barons, and burgesses who had come to attend it were by the same authority commanded to leave Edinburgh within three hours under pain of treason. The banished lords and their associates could now return in safety; and, accordingly on the afternoon of the same day, being Sunday, the Earls of Murray and Rothes, Lord Ochiltree, the father-in-law of Knox, Kirkaldy of Grange, and various others, made their appearance in Edinburgh.[1] Murray repaired at once to Holyrood and had an interview with the queen. At the sight of her brother all her former affection for him seems to have revived. She embraced him with the utmost warmth, exclaiming, that "if he had been present he would not have allowed her to be so cruelly handled."[2] It is said

[1] The fact of their leaving Newcastle before the murder of Riccio, is a proof of their perfect confidence in the success of the plot.

[2] Mr Froude assures his readers that this was all feigned, and that she hated her brother "with the hate of hell."—Vol. viii. 260.

that the future regent of Scotland was moved to tears at the sight of his sister's distress. Yet we know, when he felt, or affected to feel, so deeply for her situation, that he had bound himself to aid, to the utmost of his power, to deprive her of her crown, and to transfer it to her worthless husband.

Italy has been commonly regarded as the country where in the middle ages the art of political perfidy reached the highest degree of perfection; but we may search the annals of Rome or Venice in vain for the details of any plot which for depth of villany can match with that of which the murder of Riccio was only the first act. What were the consequences to be anticipated from that outrage? Probably the miscarriage, perhaps the death,[1] of the queen; and, failing these contingencies, her deposition and imprisonment. What was to follow next? The elevation to the throne of a prince who was an object of hatred and contempt to every one of his associates, and whose incorrigible folly would speedily afford them an opportunity and a pretext for depriving him of his authority. Then, and not till then, would the true objects of Riccio's murderers be disclosed—namely, the usurpation of the government, with the certain support of the more fanatical section of the Scottish Protestants, and the hardly less certain support of the Queen of England. Machiavelli never conceived—he has certainly not described—a plot more devilish in its designs than that which was devised by the

[1] Melvill, who was at Holyrood at the time, says: "For she being big with child, it appeared to be done to destroy both her and her child; for they might have killed the said Riccio in any other part at any time they pleased."—Memoirs, 66.

more knowing of the conspirators ostensibly for the death of Riccio, but in reality for the destruction both of Mary Stewart and her husband.

So far the conspiracy had proved successful. Riccio was slain, the Parliament was dissolved, the banished lords had been recalled, the queen was a prisoner, and it had been resolved to confine her in Stirling Castle;[1] but before this project could be effected, the plans and hopes of the conspirators were scattered to the winds by the amazing spirit and resolution of their sovereign. Perceiving symptoms of returning affection on the part of Darnley, and perceiving, too, that he began to regard with distrust, if not with dread, his new associates, she succeeded in persuading him to fly from a scene of such imminent peril to both. Arthur Erskine, captain of the guard, provided horses for the purpose; and accompanied only by that faithful officer, by one of her women named Margaret Carwood, and by three other attendants, Darnley and the queen escaped from Holyrood at midnight on the Tuesday after Riccio's murder. They rode first to Seton, the residence of one of Mary's most devoted friends, and from thence to the Castle of Dunbar, behind whose massive walls they were safe from all pursuit.[2]

It may be asked whether Darnley was really jealous of Riccio. It is so asserted in Ruthven and Morton's

[1] Tytler, vii. 33.

[2] They arrived at Dunbar at daybreak, and it appears that, notwithstanding the condition in which she was, and the dangers she had escaped, the queen was none the worse of her midnight ride. After the astonished warders had lighted a fire for their unexpected guests, she asked for some fresh eggs, and cooked them herself for breakfast.—Memoir to Cosmo de Medici; Labanoff, vii.

Narrative, yet that document itself contains strong proof to the contrary. Darnley, in speaking of the queen, is represented as saying that "she was a true princess, and he would set his life for what she promised."[1] These words, which, we must remember, are reported by two of her worst enemies, seem to be wholly incompatible with jealousy; nor is Darnley's subsequent conduct, in escaping with his wife, consistent with that absorbing passion. It is most probable that he was throughout the dupe of Morton and his associates, and that whatever suspicion he may have entertained of Riccio was the result of their intrigues. Darnley had sufficient motives for joining the conspiracy in his eager desire not only to obtain the crown-matrimonial, but to supersede the Hamiltons in the succession, in both of which designs he was warmly supported by his unscrupulous father.

In a hurried letter which Mary addressed to her uncle, the Cardinal of Lorraine, on her arrival at Dunbar, she subscribed herself "A Queen without a Kingdom." But she was speedily undeceived. The heart of the nation was deeply moved by the news of her captivity, her sufferings, and her escape. The stirring tidings sped swiftly through the Lowland counties, and within three days 8000 Border spears had assembled at Dunbar. Bothwell, whose influence in that part of the kingdom was very great, along with Huntly, Atholl, and a host of other peers and gentlemen, hastened to join the army of the queen.

Morton, Ruthven, and the greater part of their associates, perceiving now that their enterprise was hopeless, fled to England and took up their residence

[1] Keith, iii. 276.

at Newcastle, which Murray and his friends had left only a few weeks before. Maitland, who had taken an active part in the plot, but who had artfully kept in the background, retired to the Highlands; and Knox,[1]

[1] That Knox took an active part in the conspiracy against Riccio we have no proof: that he knew and approved of it we have every reason to believe. In a letter of his political ally Randolph, dated the 21st of March, and which gives the names "of such as were consenting to the death of David" that of Knox appears side by side with the names of Morton, Ruthven, and the other known murderers of the secretary.—See Tytler, vol. vii. Appendix No. 1, where Randolph's letter to Cecil is printed in full. If we add to the testimony of Randolph the fact that Knox fled from Edinburgh immediately after the murder, and did not venture to return until the same men who had assassinated Riccio rose once more in rebellion against the queen, we can have at least no moral doubt of the Reformer's guilty knowledge of the plot.

In narrating the history of the Riccio conspiracy, Mr Froude (vol. viii.) makes several statements for which I can find no authority. He asserts that the bond was signed by Ruthven and by Maitland, and that Morton also signed it "in a paroxysm of rage," because he was at this time deprived of the chancellorship, which high office it was the intention of the queen to bestow upon Riccio. Now we have the best possible evidence as to the parties who signed the bond, for the original still exists, and it is not subscribed either by Ruthven, by Maitland, or by Morton. Darnley on the one hand, and the banished lords on the other, were the only parties to the deed, the object of the one being to obtain the crown-matrimonial, and of the other, to preserve their estates from forfeiture. As Riccio had advised the queen to refuse that dignity to Darnley, and to attaint the rebel lords, the secretary was marked for destruction by both. But Ruthven, Maitland, and Morton, although all active abettors of the plot, had not that immediate interest in its execution which Darnley and his confederates had, and therefore we find the names of the latter only appended to the bond.

With respect to the alleged degradation of Morton from the office of chancellor previous to the murder of Riccio, we have no proof whatever. But we have distinct proof to the contrary. In Ruthven and Morton's Narrative (Keith, iii. 261) the latter is represented as addressing the queen in his capacity of chancellor on the day *after* the murder. In this narrative, composed by Riccio's assassins, we may take it for granted that nothing was omitted which could be alleged or insinuated against the unfortunate Italian. But it contains not the slightest allusion to any intention on the part of the queen to appoint him chancellor in Morton's stead. If any rumour, however

grieving deeply over the discomfiture of his friends, took his departure for the west.

false or improbable, had been circulated to that effect, the enemies of Riccio would certainly not have been silent on the subject.

Riccio, in fact, never held any other appointment in Scotland than that which Raulet had held before him—namely, secretary for the queen's French correspondence. The appointment of chancellor was invariably, in that age, held by one of the great nobles; and, so far as I am aware, the possibility of a friendless adventurer like Riccio being raised to that high office has never been alluded to by any one before Mr Froude.

CHAPTER IV.

FROM THE MURDER OF RICCIO UNTIL THE BAPTISM OF THE PRINCE.

AFTER residing a few days at Dunbar, Mary proceeded to Haddington on her return to Holyrood. While on her journey she was met by Melvill, bearing a letter from her brother repudiating in the strongest language all connection with the men who had committed "the late atrocious murder."[1] With characteristic facility Mary not only pardoned Murray and his associates, but received her brother once more into her confidence. If it was amiable in the sister to forgive, it was unwise in the queen to forget, his ingratitude and treachery. Mary was not aware that at the very time when he was disclaiming all connection with the murderers of Riccio, he was using his utmost influence with his English friends Bedford and Randolph on their behalf.[2]

The queen was now inclined to carry her clemency still further, and to pardon, under certain conditions,

[1] Melvill, 66.

[2] On the 27th of March Bedford and Randolph write to Cecil as follows: "My Lord of Murray, by a special servant sent unto us, desireth your honour's favour of these noblemen *as his dear friends, and such as for his sake* hath given this adventure;" then follow the names of Morton, Ruthven, Lindsay, and the rest.—Sir H. Ellis, Letters on English History, ii. 220.

even the assassins of her secretary;[1] but Darnley became alarmed for his own safety, and strenuously resisted the proposal. Morton was in consequence deprived of the great seal, and Huntly was created chancellor in his stead. Maitland, who at this time, probably because he knew too much, was an object of especial aversion to Darnley, was deprived of the valuable lands formerly belonging to the Abbey of Haddington, and these, on account of his recent services, were bestowed upon Bothwell. A short time before—namely, on the 16th of February—the earl had married, with the entire approbation of the queen,[2] the Lady Jane Gordon, a sister of Huntly.

On the return of the Court to Edinburgh, Darnley took a still more effectual mode of exasperating his late associates. With an audacity and a recklessness of consequences which seem incredible, he made a solemn declaration before the Privy Council that he was wholly innocent of the late murderous plot; and on the 21st of March a public proclamation to this effect was made at the market-cross of Edinburgh. When intelligence of these extraordinary proceedings reached the exiled conspirators their indignation knew no bounds. Even in that fierce age there were certain canons held to be sacred and binding upon all men. To refuse to prosecute an enterprise to which he had set his name and seal, and

[1] Only two persons suffered death for the murder of Riccio—namely, Thomas Scot and Henry Yair—the one a lawyer, the other a renegade priest, and both dependants of Lord Ruthven. Two other persons were condemned to death, but were pardoned on the intercession of the Earl of Bothwell.—Keith, ii. 424.

[2] The queen was a party to the contract, which is recorded in the Privy Seal Reg. of 9th February, and she gave a series of entertainments on the occasion of the marriage.—Chalmers, iii. 27.

still more to betray a comrade, exposed the offender to almost certain vengeance. Darnley henceforth became doubly hateful to his late associates. To him alone they attributed the failure of their enterprise; and he had not only deserted them at the time when success seemed certain, but he was now seeking to purchase his own safety with their ruin. The motives which afterwards induced Morton and Maitland to join in the conspiracy against Darnley's life are therefore sufficiently apparent.

In the mean time they determined, in retaliation, to make a full exposure of his treachery and falsehood. The bonds which Darnley had signed were laid before the queen,[1] and she then discovered that, notwithstanding his public denial, he had not only taken a principal part in the plot against Riccio, but that he had also conspired to usurp her crown. The agony of mind which she suffered on making this discovery has been touchingly described by one who witnessed it. False both to her and to his fellow-murderers, the wickedness and folly of her husband filled her with despair.[2] Mary Stewart was no longer the triumphant queen, but the broken-hearted woman, whose confidence in the object of her affections was hopelessly destroyed. We need not be surprised that, with such feelings and such prospects, she began to regard the cares of royalty as an intolerable burden, and that she seriously contemplated retiring to France. Her de-

[1] "The queen hath now seen all the covenants and bonds that passed between the king and the lords, and now findeth that his declaration before her and the Council of his innocency of the murder of David was false."—Randolph to Cecil, 4th April.

[2] "So many great sighs she would give, that it was a pity to hear her."—Melvill, 74.

sign was to appoint a regency of nobles to govern her unruly kingdom during her absence; and she even had fixed upon their names.[1] But her chief advisers strongly opposed this extraordinary project; and as the period of her confinement was approaching, it was for the time laid aside. It is remarkable that, although she must now have known that Murray was accessory to the murder of Riccio, she still continued to treat him with all apparent confidence and respect. It having been determined that she should await her delivery in Edinburgh Castle, as the place of greatest security in the kingdom, Murray and his brother-in-law, Argyll, who less than a year before had headed a rebellion against her, were the only two nobles who were permitted to take up their residence within the fortress. It is not surprising that, considering all she had suffered, the queen felt a strong presentiment that she should not survive her confinement; and to secure as far as possible the peace of her kingdom in case of her death, she now endeavoured to reconcile the feuds between her chief nobility. Murray and Bothwell had long been enemies; Huntly regarded Murray as the author of his father's ruin; and a hereditary feud existed between Atholl and Argyll; but, in obedience to the wishes of the queen, they all now engaged to renounce their mutual animosities.[2]

The queen also at this time made her will, which unfortunately has been lost; but in the year 1854 a paper was accidentally discovered[3] which may be considered as a portion, and an interesting one, of the

[1] These were Murray, Mar, Huntly, Atholl, and Bothwell.—See letter of Maitland to Randolph, 27th April; Cotton. Lib. Cal. b. 244.

[2] Tytler, vii. 37.

[3] In the Register House, Edinburgh.

au conte de mar — Une table de moyse avec deux diamans □

au conte de bodrich — Une table de diamant emaillé de noir □

aux quatre maries — Quatre petits diamans de diverse facon □

au conte dorgailles — Ung Ruby sans feuille esmaillé de blanc ☐ 6

au conte hontelais — Ung Ruby carbochon esmaillé de blanc □.

au conte datel — Une table de Ruby esmaillé de blanc et noir □

FROM THE REGISTER HOUSE, EDINBURGH.

Bagues a mettre au doy

Souuenances pour
premierement
me remant en noir a mes bons amys

a la couronne
cestre lin de gnoy ie
Une grand table de diamant esmaille de rouge

fus espousee
Une autre bague de diamant esmaille de rouge au roy qui la ma donnee

a mon beau
vere
Une pointe de diamant en grosse heure esmaille de noir feuillant

a ma belle
mere
Ung diamant taille en face □

Ung autre diamant en pointe esmaille de noir □

a la contine
pour souuenance
Ung diamant en pointe taille en face esmaille de blanc et rouge □

a mon
frere de mora
Ung diamant en pointe sans feuille □

missing deed. This is a complete inventory of her jewels, with a bequest of each written in her own hand, but which was to take effect only in the event of the death both of herself and her child. "If the infant lives," she writes with her own hand at the foot of the inventory, "he is to have all."

It has been generally assumed that Mary never forgave Darnley for his share in Riccio's murder; but it would appear from this document, that as the period of her confinement approached, her resentful feelings had subsided, if they had not altogether passed away. To him she bequeathed a variety of her choicest jewels —far more than to any one else; and there is one bequest in particular which bespeaks a revival of her affection for the father of her unborn child in language of the most expressive kind. The last of the many bequests she made to Darnley was that of the ring with which he had married her. Was all this consummate acting? and if so, to what end? Or did she not in these brief words give vent to the irrepressible feelings of her heart?

"There are," says Mr Robertson, "as many as twenty-six bequests to her husband: among them a watch studded with diamonds and rubies; a little dial set with rubies, pearls, and turquoises; a St Michael containing fourteen diamonds; a chain of gold enamelled in white, containing two hundred links, with two diamonds in each link; and, of more interest than all, a diamond ring enamelled in red, against which the queen writes: 'It was with this that I was married: I leave it to the king who gave it me.'"[1]

[1] Preface to Queen Mary's Inventories, by the late Mr Joseph Robertson, p. 33.

Mr Froude asserts[1] that while Mary was thus longing to return to France, and hardly hoping to survive her confinement, she was, notwithstanding, full of projects of the most daring and desperate kind. He informs his readers that she was at this very time preparing to stir up a rebellion in Ireland; and afterwards, with the aid of the English Catholics, to invade England, and to assert by force of arms her title to Elizabeth's crown.

Mr Froude gives, as his authority for these assertions, a letter addressed to Cecil from Scotland by one Christopher Ruxbie or Rokesby, who had contrived through some treacherous device to obtain an audience of the Scottish queen. This man had fled from London to escape imprisonment for debt. He was afterwards employed by Cecil as a spy; and from the vilest of human occupations he eventually, as we shall find, aspired to become an assassin. It is upon the sole authority of this enterprising person that Mr Froude asserts that Mary, broken in spirit and anxious to be relieved of the cares of State, was meditating a rebellion in Ireland and an invasion of England. What credit is to be attached to the uncorroborated testimony of a spy—and of such a spy—it is for the reader to determine. It may be mentioned as a proof, among innumerable others, of the indulgent temper of Mary, that she allowed this miscreant to remain in Scotland in spite of the discovery which was very soon made of his real character and objects.

The birth of her son, which took place on the 19th of June, created the utmost satisfaction among all classes of her subjects; and the readiness with which

[1] Vol. vii. 281.

Elizabeth consented to stand godmother to the prince furnishes additional proof that she was not in reality averse to her marriage with Darnley. Soon after the birth of the prince, Maitland, who, though a party to the conspiracy against Riccio, had taken a less prominent share in it than his associates in England, received a pardon from the queen. It was obtained by the solicitation of Murray and Bothwell, who, along with the accomplished secretary, now administered the affairs of the kingdom.

As soon as the queen was able to travel after her confinement she proceeded by water on a short visit to the residence of the Earl of Mar, near Alloa. Two years and a half after the event—namely, in December 1568—it was alleged, in the Book of Articles presented by the Earl of Murray at Westminster, that she was accompanied on this occasion by certain "notorious pirates," retainers of Bothwell, "without any one honest man to accompany her;" and, moreover, that during her visit at Alloa she lived in open and scandalous intimacy with Bothwell. Buchanan, in his 'Detection,' published three years later—namely, in 1571—repeats the same story almost in the same words. This story, so repulsive alike to decency and commonsense, is not only unconfirmed by any contemporary evidence, but it is directly contradicted by the Privy Council Register of the day. It would no doubt be the duty of Bothwell, as hereditary high admiral, to provide a vessel for the accommodation of the queen. We do not find, however, from the Register that he accompanied her on this occasion; but we do find that among her attendants were not only her host the Earl of Mar, but the Earl of Murray himself, who

afterwards presented this slanderous accusation against his sister before Elizabeth's commissioners at Westminster.[1]

Darnley had occupied apartments in the castle during the confinement of the queen, and after the birth of his son a better understanding seemed to be established between the royal pair. We may fairly conclude, from the contents of the queen's testament, that she at least was inclined to forget the past; but the suspicious and violent temper of the king soon led to fresh troubles. We learn from a letter of the Earl of Bedford, that soon after the birth of the prince Darnley had conceived the strongest antipathy to Murray, and had even threatened to kill him.[2] The queen was again forced to attempt the work of reconciliation, the antagonists on this occasion being her brother and her husband, who had both but a few

[1] See Chalmers, i. 279.

THE BOOK OF ARTICLES.

The queen "suddenly past out of the Castle of Edinburgh by water to Alloa, conducted with certain notorious pirates —such as William Blacater, Edmund Blacater, Leonard Robertson, Thomas Dickson, and their fellows, armed men, and dependers on Bothwell—to the great admiration of all honest persons, seeing her take the sea without any one honest man to accompany her. In Alloa, what was the form of her behaviour," &c.

THE 'DETECTION.'

"She suddenly entered into a ship there prepared for her, which ship was provided by William Blacater, Edmund Blacater, Leonard Robertson, and Thomas Dickson, Bothwell's servants, and famous robbers and pirates. With this train of thieves, all honest men wondering at it, she betook herself to sea, taking not any other with her, no not of her gentlemen nor necessary attendants, for common honesty. In Alloa Castle, where the ship arrived, how she behaved herself I had rather every man should with himself imagine it than hear me declare it," &c.

From this and other passages it is clear that Buchanan, in composing his 'Detection,' borrowed largely from the Book of Articles.

[2] "The queen has declared to Murray that the king bears him evil will, and that he said to her that he is determined to kill him; finding fault that she doth bear him so much company, and in like manner she wills Murray to speak it at the king," &c.—Bedford to Cecil, 3d August.; Von Raumer, 88.

months before joined in a conspiracy against her crown, if not against her life. If we may judge by the results, her efforts were attended with but slight success.

It is worthy of note that Darnley should never, so far as we know, have exhibited any jealousy or even dislike of Bothwell. That nobleman had now acquired so great an ascendancy at Court, and was so much hated on that account, that a plot had been already formed for his overthrow.[1] Mary has been much blamed for the favour which she now showed for this celebrated person, but the explanation is simple and obvious. Bothwell was the only one of the great nobles of Scotland who from first to last had remained faithful both to her mother and herself. We have no proof of the charge made against him by the unhappy Arran; and whatever may have been his follies or his crimes, no man could say that James Hepburn was either a hypocrite or a traitor. Though stanch to the religion which he professed, he never made it a cloak for his ambition; though driven into exile and reduced to extreme poverty by the malice of his enemies, he never, so far as we know, accepted of a foreign bribe. In an age when political fidelity was the rarest of virtues, we need not be surprised that his sovereign at this time trusted and rewarded him. We may add, that although the common people admired

[1] "I have heard that there is a device working for the Earl of Bothwell, the particularities whereof I might have heard, but because such dealings like me not, I desire to hear no further thereof. *Bothwell has grown of late so hated that he cannot long continue.*"—Letter from the Earl of Bedford of 12th August; Von Raumer, 89. If Bedford had furnished us with the particulars of the "device," it might have thrown much light on subsequent events.

his liberality and courage, Bothwell among his brother nobles had no friends. His chief reliance, next to the favour of the queen, was placed upon his Border vassals and dependants—men whose lawless habits rendered them impatient of repose, and who were ever ready at the bidding of their lord to embark in any enterprise, however dangerous or desperate.

Castelnau again visited Scotland in the course of this autumn, and we have from him a very different account of the demeanour of the queen and her husband from that furnished years afterwards by Buchanan.[1] The French diplomatist, who was not a man to be easily deceived by appearances, certainly believed that the royal pair had by this time become completely reconciled. But circumstances unfortunately rendered it impossible that their reconciliation could be permanent.

The Earl of Morton and his associates were at this time making strenuous efforts to obtain pardon for their treason. Murray, Maitland, and Bothwell all interceded with the queen in their behalf; and, with her habitual readiness in forgiving injuries, she would have yielded to their entreaties but for the resolute opposition of Darnley. He knew that he was the cause of Morton's exile, and he justly feared the

[1] On the 27th August 1566, the King of France addresses his ambassador in London, M. de la Forest, as follows: "J'ai recu une lettre du 22 de ce mois d'août par celui que m'avez envoyé, qui venoit d'Ecosse lequel, m'a bien au long discource, et fait entendre ce qui est passé entre le roi d'Ecosse et la reine sa femme, et jusqu'ou ils en sont venus, et que neanmoins il les a laissés, a l'heure de son partement, *fort bien ensemble et allant à la chasse qui est bien signe que leur quérelle n'etoit pas grande*," &c. Quoted by Cheruel, Marie Stuart et Catherine de Medicis, p. 47, from Bibliothèque du Louvre.

resentment of the man he had betrayed. A vague sense of impending danger seemed to haunt the mind of the young king at this time, and he even expressed his determination of quitting Scotland altogether. On hearing of his intention, the queen, in presence of her Council and of Du Croc, the French ambassador, entreated her husband to state his reasons for this extraordinary proceeding. "She likewise," says Du Croc, "took him by the hand, and besought him for God's sake to declare if she had given him any occasion for this resolution; and entreated he might deal plainly, and not spare her." The lords also inquired whether they or any of them had given him cause of offence. To these appeals Darnley replied, "that he had no ground at all given him for such deliberation." He then took his leave of the queen in these words, "Adieu, madam; you shall not see my face for a long space," and retired. This occurrence took place, we find from Du Croc's letter, on the 30th September.[1]

The vexation which the conduct of her husband caused to the queen did not prevent her attending to her public duties. At this time the lawless condition of the Borders, aggravated if not caused by the intrigues of Morton, who still resided in Northumberland, induced her, by the advice of her ministers, to proceed to Jedburgh for the purpose of holding an assize. The queen arrived at that place on the 8th of October. On the previous day an incident had occurred which has given rise to much discussion.

[1] Keith, ii. 451. From a letter of Robert Melvill to Archbishop Beton it appears that Darnley was very violent at this time against Maitland; the Justice-Clerk, Bellenden; and the Clerk-Register, James Macgill.—Keith, ii. 461.

Bothwell had been appointed warden of the marches by Mary of Lorraine, and he had displayed much activity at this time in apprehending the leading delinquents; but one noted freebooter, John Elliot of Park, who had long set the law at defiance, was still at large. On the 7th of October this man was descried by Bothwell in the upper part of Liddesdale. Elliot fled, and Bothwell, being doubtless the better mounted of the two, followed and overtook him. The outlaw, seeing that escape was impossible, turned fiercely on his pursuer, and a desperate hand-to-hand encounter took place, in which Elliot was slain on the spot, and Bothwell was stretched senseless on the field. When his followers came up—for with characteristic daring he had left them far behind[1]—they believed that he was dead; and to that effect Lord Scrope wrote to Cecil on the following day from Carlisle. But Bothwell, although severely wounded and insensible from loss of blood, had received no fatal injury, and he was removed to his Castle of Hermitage, which, fortunately for him, was not far distant.

The business of the assize at Jedburgh occupied from the 8th till the 15th of October; and upon the latter day, on the close of the proceedings, the queen, accompanied by her brother, paid a visit to Bothwell, who was now recovering from his wounds. They remained at the Castle of Hermitage for two hours,[2]

[1] "His lordship being foremost, and far before his company, encountered one John Elliot of the Park hand to hand," &c.—Lord Scrope to Cecil, dated Carlisle, 8th October; Record Office.

[2] Carlisle is about twenty-five miles distant from Hermitage. The respective dates of Bothwell's wound and of the queen's visit are correctly given in the 'Diurnal of Occurrents.' On the day following her visit a mass of papers was sent to Bothwell from Jedburgh, no doubt relating to the business of his office.—Chalmers, i. 296;

and returned to Jedburgh, a distance of eighteen miles, on the same day. This simple act of courtesy on the part of the queen has been represented by her enemies as a clear proof of her guilty passion for Bothwell; but it is only by a very gross misrepresentation of the circumstances that any such inference can be drawn. Viewed by the light of the evidence which we now possess, it cannot be said that there was anything unbecoming in this mark of attention on the part of the sovereign to a very powerful and a very loyal subject, who at the time had nearly lost his life in the public service.

Let us see how this incident is related by Buchanan. After describing Bothwell's encounter, he says: "When news hereof was brought to Borthwick to the queen, she flingeth away in haste like a mad woman, by great journeys in post, in the sharp time of winter, first to Melrose and then to Jedburgh. There, though she heard sure news of his life, yet her affection, impatient of delay, could not temper itself, but needs she must bewray her outrageous lust; and in an inconvenient time of the year, despising all discommodities of the way and weather, and all dangers of thieves, she betook herself headlong to her journey, with such a company as no man of any honest degree would have adventured his life and his goods among them."[1] According to this statement, Mary proceeded with the utmost

see also Tytler, vii. 48. The fact of these papers having been sent seems to show that the queen's visit was not one of mere courtesy. A French contemporary's narrative says that she was advised at this time to consult with Bothwell on the state of the Borders.—Calig., b. iv. p. 104.

[1] Detection, English edition, 10. This description, like that of the queen's trip to Alloa, is evidently taken from the Book of Articles.—See Appendix B.

speed, not from Jedburgh, but from Borthwick Castle to Hermitage, a distance of some sixty miles, as soon as she heard of Bothwell's wound. Buchanan further states that the journey was performed in winter, and that she travelled in the worst company. But Buchanan did not publish his narrative until five years after the event;[1] and it was addressed, in the first instance, to Englishmen in England, who were necessarily unacquainted with the facts. Subsequent historians have repeated, though in language less gross, the story of the queen's ride to Hermitage. "Mary instantly flew thither," says Robertson, "with an impatience which has been considered as marking the anxiety of a lover, but little suited the dignity of a queen."[2] And Laing, relying implicitly on the highly-coloured narrative of Buchanan, says, "*It is certain* that she posted to the Hermitage on the first notice of Bothwell's wound."[3]

If Robertson and Laing had had access to the Public Record Office, they would have found from Lord Scrope's correspondence, written at the time, and without any motive for misrepresenting the truth, that instead of hastening to visit Bothwell immediately on hearing of his wound, the queen did not stir from Jedburgh until the business of the assize was finished, fully a week afterwards; that the journey was performed not in the midst of winter, but in the middle of October, when the weather in the south of Scotland is often fine; and that, instead of being attended by the worst of company, the companion of her journey was her brother, who was the Regent of Scotland, and, we may

[1] The first edition of the Detection was published in 1571.
[2] Vol. ii. 172. [3] History, i. 17, note.

add, the patron of Buchanan, at the time the latter composed his famous libel.

It happened that Du Croc, who had accompanied the queen to Jedburgh, addressed a letter to Paris on the very day on which she rode to Hermitage; and after describing the incomprehensible conduct of Darnley, and the complete discredit into which he had fallen in consequence of his follies, the French ambassador expresses himself as follows respecting the queen: "I never saw her majesty so much beloved, esteemed, and honoured, nor so great a harmony amongst all her subjects, as at present is by her wise conduct; for I cannot perceive the smallest difference or division."[1] The contrast between the testimony of this disinterested witness, written on the spot, and the subsequently invented slanders of Buchanan, is abundantly instructive.

While the Court was still at Jedburgh, the queen was seized with a dangerous fever, the result, according to the opinion of Maitland,[2] of the continued vexation and anxiety which she suffered through the perverse conduct of her husband. For more than a week her life was in imminent peril, and she awaited the result with characteristic fortitude and resignation. She earnestly recommended her son to the Earl of Murray, and entreated him and his brother nobles to live in peace. She declared her intention of dying in the religion in which she had been brought up; and she besought her brother not to deal harshly with her Catholic subjects after she was gone.[3] She sent her

[1] See Keith, ii. 451. [2] Tytler, vii. 49.

[3] "That he would not be over-extreme to such as were of her religion."—Knox, 399. Knox would not have mentioned the circumstance unless he had deemed it discreditable to the queen.

affectionate remembrances to the King of France, through Du Croc, who was no less impressed by her becoming behaviour than by the utter indifference displayed by Darnley. "The king," he says, "is at Glasgow, and has not come to this place, although he has received notice, and has had ample time to come had be been willing. His conduct can admit of no excuse."[1] Darnley did at length make his appearance at Jedburgh, but it was not until, contrary to the expectation of her physicians, his wife had recovered. He remained only a day at Jedburgh, and then returned to Glasgow, where his father, who had never ventured to Court since the murder of Riccio, at the time resided. In the slanderous narrative of Buchanan we are told, that as soon as Darnley heard of the queen's illness "he hasted in post to Jedburgh, to comfort her in her weakness, and by all the gentle services that he possibly could, to declare his affection and hearty desire to do her pleasure," but that he was treated with studied rudeness and contempt.[2]

As soon as the queen was able to travel she returned by way of Kelso and Dunbar to Edinburgh; and she took up her residence, probably by the advice of her physicians, at the Castle of Craigmillar, a massive feudal fortress three miles to the south of the capital. Her husband, about the end of November, also resided here for several days, and he then set out alone for Stirling, where it had been arranged that the prince should be baptised. We learn from Du Croc that during the king's visit matters went on much as usual. Darnley was as imperious and intractable as ever, and the queen, with weakened health and broken spirits,

[1] Letter of 24th October; Keith, ii. 467. [2] Detection, 11.

regarded with alarm every movement of her wayward husband. "I could wish to be dead!"[1] were the expressive words which she repeated again and again at this time to the French ambassador, who vainly endeavoured, to the utmost of his power, to restore peace to the royal household.

It was after the departure of Darnley from Craigmillar that the famous conference took place to which the murder of that unhappy youth may be directly traced.

We have a detailed account of all that passed on this occasion from two of the parties who were present —Huntly and Argyll—both of them Protestants, and one of them the brother-in-law of Murray. According to their statement, Maitland and Murray first opened the matter to Argyll by lamenting the continued absence of Morton and his friends, who were prevented through Darnley's influence from receiving a pardon. Maitland then suggested that the most certain means of procuring the pardon of the exiles would be by obtaining a divorce between the queen and her husband, who regarded Morton and his associates as his mortal enemies. To this Argyll observed that he did not see how this could be done. "My lord," said Maitland, "give yourself no concern. We shall find the means well enough to make her rid of him, so that you and my Lord of Huntly will only behold the matter and not be offended thereat." The three councillors next sought Huntly and Bothwell, who were both also residing at Craigmillar, and after conferring with them, they all proceeded in a body to the presence of the queen. Maitland then, after adverting to the extraordinary

[1] Keith, i. xcvi.

conduct of the king, and the continued vexation which it had caused to her majesty, suggested that *if she would consent to pardon Morton and his companions in exile*, means might be found to obtain a divorce between her and her husband. He added that this step had now become necessary, as well for the sake of her own peace of mind as for the public welfare. The proposal of the secretary was so warmly seconded by the noblemen present, that the queen at first expressed a conditional approval of it. She said that if a lawful divorce might be obtained without prejudice to her son, she might be induced to consent to it. To this Bothwell observed that a divorce might certainly be obtained without affecting the rights of the prince, adding, by way of illustration, that he himself had inherited his father's titles and estates although his parents had been divorced. A question then arose as to the place where the king should reside in the event of a divorce taking place; but the queen, upon further reflection, suggested that, instead of seeking a divorce, she herself should retire for a while to France. This notion, which, we have seen, she entertained before the birth of her son, was strenuously opposed by Maitland in the following significant words: "Do not imagine, madam, that we, the principal nobility of the realm, shall not find the means of ridding your majesty of him without prejudice to your son; and albeit my Lord of Murray here present be little less scrupulous for a Protestant than your grace is for a Papist, be assured that he will look through his fingers and behold our doings, saying nothing to the same." To this mysterious speech the queen at once replied: "I will that ye do nothing through

which any spot may be laid on my honour or conscience; and therefore, I pray you, rather let the matter be in the state that it is, abiding till God of His goodness put remedy thereto."[1]

To these allegations, so far as they affect the Earl of Murray, he subsequently gave in a written reply, which is still extant. "In case," he says, "any man will say and affirm that ever I was present when any purposes were holden at Craigmillar in my audience, tending to any unlawful or dishonourable end, *or that ever I subscribed any band* [*bond*] *there*, or that any purpose was holden anent the subscribing of any band by me to my knowledge, I avow they speak wickedly and untruly, which I will maintain against them, as becomes an honest man, to the end of my life." This language is very vague, for he only expressly denies what was not alleged—namely, that he had signed any bond at Craigmillar. He goes on to say: "Only this far the subscription of bands by me is true, that indeed I subscribed a band with the Earls of Huntly, Argyll, and Bothwell, in Edinburgh, at the beginning of October the same year, 1566, which was devised in sign of our reconciliation in respect of the former grudges and displeasures that had been amongst us; whereunto I was constrained to make promise *before I could be admitted to the queen's presence, or have any show of her favour*," &c.[2] This latter allegation we know to be untrue. We know that Murray had regained the queen's favour long before the month of October. We know that in June he and Argyll were the only two noblemen who were permitted to reside

[1] Protestation of Huntly and Argyll; Keith, iii. 290.
[2] Answer of Murray; Keith, iii. 294.

in Edinburgh Castle during her confinement;[1] and in the event of her death, we cannot doubt that they would have continued to administer the government. We learn, further, from the correspondence of the Earl of Bedford, that in the month of August the queen and her brother were on the best terms. "She confessed before the whole house," says Bedford, "that she would not be content that either he" (meaning Darnley) "or any other should be unfriendly to Murray."[2] The reason, therefore, assigned by him for becoming a party to the bond in October cannot be the true one.

As the queen, on reflection, positively refused to entertain the project of a divorce,[3] those who proposed it eventually resolved to pave the way for the return of Morton and his friends by the murder of the king. In accordance with the savage custom of the age, a bond was drawn up, in which he was declared to be "a young fool and tyrant,"[4] who was unworthy to rule over them; the subscribers therefore bound themselves to remove him by some expedient or another, each engaging to stand by the other in this deadly enterprise at the hazard of his life and fortune. The deed was drawn up by Sir James Balfour, an experienced lawyer, but the most corrupt and treacherous of men,

[1] Randolph, who was still at Berwick, stated on 7th June, in a letter to Cecil, that Huntly and Bothwell both wished to lodge in the castle at this time, but that they were not allowed to do so.—Record Office, and Chalmers, iii. 30.

[2] Quoted by Von Raumer, 88.

[3] As a Catholic, she knew that the only ground upon which she could seek a divorce was upon that of consanguinity, and that her marriage could not be dissolved on that account without affecting the rights of her son.

[4] Ormiston's Confession; State Trials, vol. i.

who at this time was an active tool of Bothwell; and it was signed by both, as well as by Huntly, Argyll, and Maitland. Murray, we have seen, solemnly declared that he did not sign it; and this is consistent both with the wary character of the man and with the significant expression used by Maitland in his presence, "that he would look through his fingers and behold their doings, saying nothing to the same." This transaction took place in the beginning of December 1566.

On the 17th of the same month the prince was baptised at Stirling in presence of the principal nobility, and of the English, French, and Piedmontese ambassadors. "The queen," says Du Croc, "behaved herself admirably during the baptism, and showed so much earnestness to entertain all the goodly company in the best manner, that this made her forget in a good measure her former ailments."[1] But he adds that she sent for him a few days afterwards, and he found her "weeping sore," and complaining of "a grievous pain in her side." "I am much grieved," he continues, "for the many troubles and vexations she meets with."

Du Croc furnishes us in the same letter with several particulars concerning Darnley, whose conduct at this time appears to be altogether inexplicable. He went to Stirling, as we have seen, from Craigmillar; but Du Croc says that he did not believe he would be present at the baptism; and the French ambassador was right. Two days before the ceremony the king announced his intention of leaving the town; but he remained notwithstanding, although, to the surprise of the

[1] Quoted by Chalmers, i. 304.

guests, he did not appear either at the baptism or at the entertainments which followed. So unaccountable was his behaviour that Du Croc positively refused to see him, although he sent several messages on the day of the baptism desiring an interview. "His deportment is incurable," says Du Croc, "nor can there be ever any good expected from him." If the statement of Camden, that the Earl of Bedford was instructed not to give Darnley the title of king,[1] is true, his absence from the baptism is sufficiently accounted for; and we know as a fact that that title was never accorded to him in his lifetime by Elizabeth.

The sullen and capricious conduct of Darnley may also have arisen from his belief that Morton and his accomplices were at length about to receive the pardon which had been hitherto withheld. Darnley had every reason to dread the return of these men to Scotland. He had not only denounced and betrayed them, but they knew that it was entirely through his influence that their exile had been prolonged. After the baptism of the prince a fresh attempt was made by the chief advisers of the queen—namely, Murray, Bothwell, and Maitland—to obtain the pardon of their friends; and the powerful aid both of the French ambassador and of the Earl of Bedford, who spoke in the name and by the desire of his mistress, rendered it impossible for Mary on such an occasion to resist the joint intercession of her chief nobility and her sister queen. Robertson attributes the pardon of Morton and his friends entirely to the influence of Bothwell. "Mary," he says, "who had hitherto continued inexorable to every treaty in their behalf, yielded at last to the

[1] Camden, book i.

solicitations of Bothwell."[1] But Elizabeth took to herself the sole credit of obtaining Morton's pardon. In a letter written some months afterwards to Throgmorton, she says: "The Earl of Morton had refuge in our realm when we might have delivered him to death; and," she adds, "he was restored to his pardon for gratifying us upon instance made by our order at the Earl of Bedford's being with the queen."[2]

On the 24th of December Mary signed Morton's pardon. His most active accomplice, Ruthven, was now dead; but the queen's pardon extended to the son and representative of that nobleman, to Lord Lindsay, and to seventy-five other persons, who were all implicated in the conspiracy to murder Riccio and dethrone their sovereign. It is worthy of note that the latter purpose was accomplished by these very men within six months after they received their pardon.

The only two persons exempted from the general amnesty were George Douglas, who had stabbed the secretary in presence of the queen, and Ker of Faudonside, who had held his pistol at her breast during the perpetration of the murder.

On the same day upon which the pardon of the Earl of Morton was signed, Darnley suddenly left Stirling for Glasgow without even taking leave of the queen. His disapproval of the amnesty was no doubt the cause of his abrupt departure. Buchanan does not hesitate to assert that he was poisoned by his wife

[1] Vol. ii. 184.

[2] Queen Elizabeth to Throgmorton, 27th July 1567; Keith, ii. 705. This agrees with the letter written by Bedford to Cecil at the time.—See Chalmers, ii. 291.

before he left Stirling,[1] and that he was taken ill on the road to Glasgow from this cause.

This is not the only charge which Buchanan makes against the queen. He informs us that, both before and after her illness at Jedburgh, she was living in open and notorious adultery with Bothwell. He tells us further, that after having attempted to poison her husband at Stirling, she made a second unsuccessful attempt to poison him at Glasgow; and, lastly, he assures us that it was her intention, after having murdered her husband, to destroy her child.

These accusations are of a most extraordinary kind, but the proofs adduced in their support are more extraordinary still. "When he" (Darnley) "was preparing to depart for Glasgow," says the author of the 'Detection,' "she caused poison to be given him. You will ask, By whom? In what manner? What kind of poison? Where had she it? Ask you these questions? as though wicked princes ever wanted ministers of their wicked treacheries. But still you press me, perhaps, and still you ask me, Who be these ministers? If this cause were to be pleaded before grave Cato the censor, all this were easy for us to prove before him that was persuaded that there is no adulteress but the same is also a poisoner. Need we seek for a more substantial witness than Cato, every one of whose sentences antiquity esteemed as so many oracles? Shall we not in a manifest thing believe him whose credit hath in things doubtful so oft prevailed? Lo! here a man of singular uprightness, and of most notable faithfulness and credit, beareth witness

[1] This is first insinuated in the Book of Articles.—See Appendix B. It is roundly asserted by Buchanan.—See Detection, 48.

against a woman burning in hatred of her husband," &c.[1] It is hard to believe, yet it is impossible to dispute, that the author of this rare piece of rhetoric was accounted one of the most accomplished scholars of the age.

And where was Buchanan, it may be asked, at the time of the prince's christening? We know for certain that he was at Stirling, assisting at the entertainments given in honour of that event, and extolling to the skies in pedantic Latin verses the virtues of the sovereign whom he tells us every one knew at the time to be a monster of lust and cruelty.[2] There can be no possible mistake upon this point. It is true that the 'Detection' was not composed for some years after the baptism of the prince; but in that atrocious libel Buchanan tells us that for months before that event she was living in adultery with Bothwell—namely, at Edinburgh, Jedburgh, and other places—

[1] Detection, 49. Malcolm Laing labours hard to prove that this portion of the 'Detection'—namely, the "Oration"—was written not by Buchanan, but by Dr Thomas Wilson, an English civilian; but the answer to this is simple and conclusive. The first Scotch edition of the 'Detection,' published in 1571, bears the initials of Buchanan, and it contains the "Oration" as well as the "Detection," and both in Scotch, which Wilson could not have written. But when we find Buchanan acknowledging in the title-page that he was the author, it is idle to speculate further on the matter. A copy of the first Scotch edition is to be found in the Advocates' Library, Edinburgh.

[2] The following lines of Buchanan were addressed to the queen on the occasion of a masque which was performed before the English and French ambassadors and the other guests at Stirling:—

"Virtute ingenio, Regina, et munere formæ
Felicibus felicior majoribus,
Conjugii fructu sed felicissima, cujus
Legati honorant exteri cunabula
Rustica quem donis reverentur numina silvis,
Satyri relictis, naiadesque fontibus," &c.
—*Opera*, lib. iii.

and in a manner so public and notorious, "as they seemed to fear nothing more *than lest their wickedness should be unknown.*"[1] If these charges were true, Buchanan himself knew, and every one else knew, when he was celebrating the virtues of the queen at Stirling, that she was the most abandoned of her sex. If he knew them to be false, no literary assassin was ever guilty of such villany.

Buchanan composed his libel when the Queen of Scots was a fugitive in England, notoriously to serve the purposes of his new patrons, who had driven her from her native kingdom. He had been the most assiduous of her flatterers so long as she occupied her throne, but from the time that she became the tenant of a prison he pursued her with the malice of a demon; and his slanders, as we have already stated, were addressed, in the first instance, not to his own countrymen, but to Englishmen in England, who had no means either of verifying or refuting them. The enemies of the Scottish queen exhibited their wonted skill in purchasing the services of Buchanan to blacken the character of their sovereign. His repute as a scholar secured for his book a wide and rapid circulation. The monstrous fictions of the 'Detection' were duly copied in process of time by Knox and by De Thou. They disfigure innumerable pages of Robertson, of Laing, and of Mignet, although these historians, one and all, refrain from quoting his libel as an authority. But a well-known modern author has displayed more candour and more courage. Mr Froude unhesitatingly declares his belief in the truth of the 'Detection;' and he asserts, moreover, "that it will receive at last the

[1] Detection, 13.

authoritative position which it deserves."[1] We can therefore be at no loss to ascertain whence he has derived his notions of the character and conduct of the Queen of Scots.

It is a striking proof of the carelessness with which history is written, that not one of the authors who have adopted the slanders of Buchanan has taken the trouble to ascertain whether or not they were confirmed by any contemporary evidence. Had they done so, they would have found that none such exists. There is no proof whatever that any calumnious reports were in circulation respecting Bothwell and the queen during her husband's lifetime. These were first put in circulation not before, but *after* Darnley's murder; and this is a circumstance especially deserving of attention.

But if we have no evidence of the existence of any such injurious reports we have abundant evidence of a contrary kind. We have abundant proof that at the very time when, according to Buchanan, the Queen of Scots was leading a life of the most notorious profligacy, she never stood higher in the estimation both of her own subjects and of her partisans in England. By far the most trustworthy testimony which we possess concerning Scotland at this time consists of the letters written by the English and the French ambassadors in that country. But neither in the despatches of the Earl of Bedford, who was no friend to the Queen of Scots—nor in those of Sir William Drury, the English resident at Berwick, who carefully transmitted to Cecil every piece of gossip respecting the Scottish Court—nor in those of Du Croc, who, though favourably dis-

[1] History, x. 320, note.

posed towards Mary, was a man of known integrity,[1] —do we find the most distant allusion to any unbecoming conduct upon her part. On the contrary, in the opinion of Du Croc; she never stood higher in public estimation than during the latter part of 1566. The Parliament of England, which met in November of that year, was evidently of the same mind. Both Houses addressed the queen on the subject of the succession, praying her in the name of the nation not to allow the question to remain any longer unsettled.[2] Although the name of the Queen of Scots was not mentioned, Elizabeth was well aware that the movement proceeded from the partisans of Mary, who, in both branches of the Legislature, but especially in the Upper House, were at this time more numerous and active than ever. Considering the difficulties of her position, Mary had, upon the whole, conducted the government of Scotland with remarkable prudence and success; and her moderation in matters of religion induced even the most powerful of the Protestant nobility to regard her claims with favour. The birth of a son who inherited all the rights of the eldest daughter of Henry VII., gave additional strength to the claims of the house of Stewart. But Elizabeth declined, though in very ambiguous terms, to make any settlement of the succession. She, however, commissioned the Earl of Bedford, before he proceeded to Scotland, to make a final attempt to obtain from the Queen of Scots a confirmation of the treaty of Edinburgh; and with this object the English ambassador was empowered to make concessions of the most

[1] Holinshed describes him as "a wise aged gentleman."
[2] Rapin, book xvii.

important kind. Cecil had overreached the French commissioners at Edinburgh by introducing words into the treaty which were clearly intended to bar Mary and her descendants from the English succession, but Elizabeth was now willing to remove this obstacle to its fulfilment. "Our meaning is," she said in her instructions to Bedford, "to require nothing to be confirmed in that treaty but that which directly appertains to us and our children, omitting anything in that treaty that may be prejudicial to her title *as next heir after us* and our children, all which may be secured to her by a new treaty betwixt us."[1]

Nothing could be more equitable than this proposal on the part of Elizabeth. It was, in fact, substantially the same as that which Mary herself had formerly made. But whether the temptation of adopting in her turn the tantalising policy of her rival was too strong to be resisted, or whether, as is more probable, she was guided by the mischievous advice of Maitland, she did not reply directly to the overture of Elizabeth. She suggested instead, that before proceeding further in the matter of the succession, it should be ascertained whether or not the will of Henry VIII. excluding the descendants of his eldest sister Margaret was genuine or not.[2] This proceeding on the part of Mary raises

[1] Keith, ii. 462. The whole of the instructions are drawn up in the most friendly spirit. As godmother of the prince, Elizabeth sent a present of a splendid gold font to be used at the baptism. "You may say pleasantly," she says in her instructions to Bedford, speaking of her present, "that it was made as soon as we heard of the prince's birth, and then it was big enough for him; but now he, being grown, is too big for it, therefore it may be better used for the next child," &c. The whole of Elizabeth's conduct at this time is inconsistent with her professed opposition to Mary's marriage.

[2] Keith, ii. 491; Mary to Elizabeth, 3d January 1567. See also

the suspicion that, remembering the habitual duplicity with which she had been treated, and relying on her flourishing prospects, she cherished the hope of being able at some future time to challenge her rival's title to the crown of England. But all such aspirations, if she ever entertained them, were very soon afterwards dashed to the ground; and thus the only opportunity which occurred during the lifetime of the two queens of settling their differences on a just and solid basis was thrown away.

Before the Court left Stirling a step was taken by the queen which has been generally attributed to the influence of Bothwell. There can be no doubt that the murder of Darnley had been resolved upon at Craigmillar; and we may conclude, from subsequent events, that Bothwell had determined, with the aid and probably at the instigation of his associates, to marry the royal widow. But as the earl was already married, it would be necessary to procure a divorce; and it is alleged, and it is probable, that with this object he obtained a restoration of the consistorial jurisdiction of the Archbishop of St Andrews, which had been abolished by the Convention of States in 1560. As the Countess of Bothwell was a Catholic, and she and her husband were within the prohibited degrees of consanguinity, a divorce might be obtained on that ground in the court of the primate. If there was the slightest evidence to show that Mary was cognisant of the schemes of Bothwell, the restoration of the consistorial jurisdiction of the archbishop at this

an elaborate letter of Maitland to Cecil, dated on the subsequent day, printed at length in the Egerton Papers published by the Camden Society, p. 41.

time would be a circumstance of strong suspicion; but no such evidence exists, nor do we even know by whom the measure was proposed. It might have been suggested to the queen by Maitland, who was acting at the time in close concert with Bothwell; and being recommended by her Protestant advisers, we can well believe that it would receive no opposition at her hands.

The General Assembly of the Kirk, which was sitting at Edinburgh at the time, protested strenuously against the restoration of the archbishop's court, declaring "that the queen should be informed that this was a violation of the laws of the realm, and the setting up again of the Roman Antichrist." In order to appease the discontent of the Protestant clergy, means were taken for increasing their very slender stipends. They accepted the boon under protest that it should prove no bar to their claim to the whole patrimony of the Kirk,[1] of which they had been unjustly deprived.

[1] Spottiswoode, ii. 47.

CHAPTER V.

THE PLOT AGAINST DARNLEY—THE ALLEGED LETTERS OF THE QUEEN TO BOTHWELL.

DARNLEY had imprudently set out for Glasgow at a time when smallpox was prevalent in that city, and we learn from the Earl of Bedford that the queen, on hearing that her husband had caught that infectious malady, sent her own physician to attend him.[1] Buchanan, writing five years afterwards, to serve the purposes of the dominant faction in Scotland, asserts that, instead of sending her own physician to Glasgow, she actually prohibited her husband during his illness from receiving medical attendance of any kind.[2] It does not require the express contradiction of Bedford to convince us of the falsehood of this ridiculous accusation.

About the middle of January the queen returned from Stirling to Edinburgh, accompanied by the infant prince. The Earl of Morton had by this time

[1] Bedford to Cecil, 9th January 1567; Record Office. Bedford was then at Berwick. After the christening of the prince the English ambassador visited the Earl of Murray in Fife, where he was received "with much honour, great cheer, and courteous entertainment" (letter to Cecil of 30th December). He then proceeded to Edinburgh and Berwick.

[2] "And yet all this while the queen would not suffer so much as a physician once to come at him."—Detection, 16.

returned to Scotland; and even before he reached his own home, Bothwell and Maitland met him, and proposed that he should join in the conspiracy for the murder of the king. This remarkable interview took place at Whittingham Castle[1] in East Lothian, the residence of a kinsman of Morton's; and according to the confession of that nobleman made before his execution in the year 1581, he refused to take part in the enterprise unless it was approved by the queen. The conspirators assured him that this was the case; but as they failed to produce any evidence of her assent, he says that he declined to join them. This incident occurred about the 20th January 1567.

Morton was thus, by his own confession, acquainted with the fact of the conspiracy; and there are strong reasons for believing that, notwithstanding his denial, he aided in the prosecution of the plot. Motives still more powerful than revenge urged him, as well as the other conspirators, to seek Darnley's death. Morton and Maitland, as well as Murray, had imposed upon the generous nature of the queen in the disposal of the crown-lands, and they knew that Darnley had expressed his disapproval of the improvident bounty of his wife. They knew, moreover, that by the law of Scotland any such grants made without the sanction of Parliament might be revoked at any time before the queen attained the age of twenty-five.[2]

[1] A portion of the castle is still in good preservation. There is a splendid yew-tree in front of the building, under which tradition says the conspirators discussed the plan of Darnley's murder. Mr Froude has made the strange mistake of converting Whittingham Castle into a "hostelry." He makes the conspirators meet "in the yard of the hostelry of Whittingham."—Vol. viii. 351.

[2] Stat. James II., anno 1437. Gilbert Stuart, Public Law of Scotland, 49.

The fears of the conspirators were not imaginary, for during the preceding reign various grants which James V. had been induced to make to his nobles during his minority were cancelled before he arrived at the full age prescribed by law.[1] Mary had now entered her twenty-fifth year, and it was of the utmost consequence to the conspirators to obtain a confirmation of their titles in the Parliament which was about to meet in the spring. If this opportunity were allowed to pass, the queen might at any time before December 1567 resume the extensive grants of crown and Church lands which she had made to the chief of the Protestant nobility before her marriage. The conspirators had good reason to fear that Darnley would exert all his influence to induce her to take this step; and as his illness might not improbably lead to a reconciliation between the royal pair—for they all knew her forgiving temper—the danger was obvious and imminent. Although Bothwell had shared less in the bounty of the queen than his associates, we know he had a motive no less powerful for seeking the death of Darnley. Thus was formed the third plot of the Protestant nobility for the destruction of Darnley and the queen. Two had already failed, but the conspirators were at length to reap the fruits of their perseverance and audacity.

If it is asked why Maitland and Morton should have lent themselves to the daring schemes of Bothwell, the answer is plain. They knew that, if successful, they must prove fatal both to him and to the queen. Bothwell had long been regarded as an enemy by the faction of which Murray was the chief. The

[1] Stuart, Public Law of Scotland, 52.

reconciliation between them was recent, and it had never been sincere.[1] The murder of Darnley, followed by the marriage of the queen to Bothwell, could not fail to exasperate the people; and amid the general discontent the Protestant chiefs would have an excellent opportunity of carrying out their long-meditated scheme of seizing on the government. Robertson seems to think it incredible that men should help to elevate a confederate whom they hated with a view to his ultimate ruin; yet we know that the same men had played the very same game with Darnley only a few months before. They had engaged to obtain for him the crown-matrimonial as the price of his adhesion to the conspiracy against Riccio; but who can doubt that, if Darnley had ever acquired that dignity, he would have been speedily hurled from it by the men to whom he was indebted for his elevation? The plot for the destruction of Darnley failed from causes already explained; the plot for the ruin of Bothwell was entirely successful.

While the enemies of Darnley were maturing their murderous schemes, various alarming rumours reached the queen. It was reported, on the one hand, that her husband intended to crown the infant prince preparatory to his assuming the government in the name of his son; and, on the other hand, it was rumoured that it was intended to place the king himself in ward. One Hiegate, who was town-clerk of Glasgow, was said to have circulated these reports; but upon being summoned before the Privy Council, he denied the accusation. The queen was much annoyed by these rumours, and in writing to her ambassador in Paris

[1] See Bedford's letter of 3d August preceding, *ante*, 154.

on the 20th of January, she spoke with some irritation respecting both Darnley and his father, whom she appears to have considered in some way responsible for their circulation. "As for the king our husband," she says in this letter, "God knows always our part towards him; and his behaviour and thankfulness to us is equally well known to God and the world, especially our own indifferent[1] subjects see it, and in their hearts, we doubt not, condemn the same. Always we perceive him occupied and busy enough to have inquisition of our doings, which, God willing, shall always be such as none shall have occasion to be offended with them, or to report of us anyways but honourably, however he, his father, and their fautors speak, which we know want no goodwill to make us have ado, if their power were equivalent to their minds," &c.[2]

As she set out on the day following the date of this letter to visit her husband in Glasgow, some historians have drawn from it the most unfavourable[3] conclusions; but these seem to be unwarranted. Mary had too good reason to be annoyed at the conduct of Lennox and his son, and it was natural that she should give expression to her annoyance while writing to one of her most faithful friends. To interpret such expressions as a proof of settled hatred of her husband is unreasonable and unjust. What would her enemies have said if, instead of giving vent to her real feelings, her letter had abounded in expressions of ardent affection? Would they not have asserted, and with far more justice, that such hypocrisy raised the strongest suspicion of her guilt?

[1] *I.e.*, impartial. [2] Keith, i. 101. [3] Mignet, i. 204.

Mary left Edinburgh, according to her enemies, on the 21st[1] of January, accompanied by Bothwell, who was sheriff of the county, and by his brother-in-law, the Earl of Huntly. They stopped that night at Callander, near Falkirk, the residence of Lord Livingstone. The queen remained at Callander on the following day, and the two earls returned to Edinburgh. On Thursday the 23d she proceeded to Glasgow, and as she approached the city, the Hamiltons and other of the neighbouring gentry received her with every demonstration of loyalty. The Earl of Lennox was residing at Glasgow at the time, but instead of waiting on the queen, he sent a retainer named Thomas Crawford to acquaint her that he durst not venture into her presence in consequence of the displeasure she had expressed respecting him at Stirling. Annoyed apparently at this fresh instance of perversity on the part of her father-in-law, Mary curtly replied that there was no medicine against fear, and proceeded on her journey. It is hardly necessary to observe that her language and bearing to the messenger of Lennox were entirely in accordance with the sentiments which she had expressed three days before to her ambassador in Paris.

The same remark holds good with regard to her first meeting with Darnley. Those historians who seek to make the queen's conduct accord with their own preconceived notions, assert that she loaded him with caresses in order to gain him to her purpose. "By all her words and actions," says Robertson,[2] "she en-

[1] This is disputed by Goodall, Chalmers, and others; but it is my intention throughout to take the case against the queen as it has been presented by her accusers.—See Appendix D.

[2] Vol. ii. 190.

deavoured to express an uncommon affection for him." "She employed the most tender assiduities," says Laing,[1] "to remove his suspicions and regain his confidence, to sooth and assure his mind, and to persuade him to return in a litter to Edinburgh." Mignet[2] uses language equally strong; but none of these historians give us any authority for their assertions.

We have, however, the deposition of a witness who professed to have heard from Darnley's own lips his account of his first interview with the queen; and beyond a natural expression of sorrow for his sickness, we do not find a word to justify these imputations. On the contrary, instead of that extraordinary display of affection which has been conjured up by the imagination of modern historians, we find that Mary at once proceeded to question her husband respecting the alarming rumours which had reached her in Edinburgh. She interrogated him closely upon these and other matters, and especially respecting his alleged design of leaving Scotland. It appears that sickness and solitude had rendered Darnley a wiser man; and after replying to her inquiries, he made a full confession of his follies, pleading youth and want of friends as the cause of his misconduct. He expressed at the same time his unalterable affection for the queen, and his earnest and only wish that they might live once more together.[3] It was not Mary, therefore, but her husband, who on this occasion was lavish in his professions of attachment; but she

[1] Vol. i. 26. [2] Vol. i. 204.

[3] "I desire no other thing but that we may be together as husband and wife. And if ye will not consent thereto, I desire never to rise forth of this bed."—Deposition of Thomas Crawford; Record Office. —See Appendix L.

readily gave him her hand in token of reconciliation, and it was agreed that they should proceed together to Craigmillar as soon as he was able to travel. Such, according to Thomas Crawford, the person above mentioned, was the first interview between the queen and her husband. Crawford declared upon his oath that Darnley communicated the particulars to him immediately afterwards, and that he forthwith committed them to writing. Although the latter statement is suspicious, the narrative of Crawford bears, upon the whole, a strong air of probability. Nothing could be more natural than the behaviour of the queen throughout. We have seen that she left Edinburgh in a state of annoyance at the rumours which were afloat, and this feeling was probably aggravated by the rude apology which Lennox made for his non-appearance as she entered Glasgow. We find that the moment she meets Darnley she gives vent to the feelings which are uppermost in her mind. Her language is certainly not that of flattery, for nearly all her questions are indirect reproaches of her husband; but she is speedily silenced by his penitent and affectionate demeanour, and a reconciliation more or less complete takes place between them. Is it at all surprising that Mary, who had twice forgiven the treachery of her brother, who had forgiven Maitland and Chatelherault, Morton and Lindsay and Ruthven, should, under the circumstances, be induced to overlook the errors of a husband whom she had certainly married from affection, and who now made so full a confession of his follies?

Her enemies accuse her of having feigned at this time an affection for the man she detested, that she might entice him away to the fatal Kirk-of-Field;

but if this had been her design, we should have expected that her conduct would have been the reverse of that which Crawford has described. We should have expected that when she met her husband conscious guilt would have assumed the guise, if not of ostentatious sympathy, at least of smooth attention. We should have thought that at all events she would have refrained from touching upon any topic which was likely to annoy him. She knew his wayward and captious temper; and the slightest provocation might, by widening the breach between them, have led to the derangement of all her plans. But instead of approaching her husband with expressions of affection real or feigned, she addressed him at once in the language of complaint. If Darnley's spirit had not been subdued by sickness, it is too probable that he would have replied in a recriminatory tone, and the alleged project of the queen must have fallen to the ground. As it was, he spoke, for the first time in his life, rationally and calmly; and it is most important to observe that the proposal for a reconciliation came not from the queen, but from him. It was he who first proposed that they should live again together as man and wife. It is from testimony which the enemies of the queen themselves produced — namely, from Crawford's deposition—that we learn this most material fact.

It is assumed by the historians adverse to the queen, that she went to Glasgow at this time of her own accord, or rather at the instigation of Bothwell. The Bishop of Ross,[1] on the contrary, states that she visited Darnley at his own request. The testimony of so

[1] See his "Defence of Queen Mary's honour," printed in Anderson.

warm a partisan of Mary is to be received with caution; but we find it confirmed in the most positive manner by the queen's enemies. According to Crawford's deposition, she asked her husband, on their first meeting, what was meant by the cruelty mentioned "*in his letters.*" "It is of you only," replies Darnley, "that will not accept my offers and repentance;" and he proceeds to express the utmost contrition for his past conduct. The principal letter produced against the queen at Westminster contained a passage identical in meaning[1] and almost in words with that just cited; so that, whatever theories modern historians may form on the subject, it was certainly admitted by the queen's enemies at the time that Darnley had written to her from Glasgow, expressing sorrow for his misconduct, and seeking a reconciliation. Her visit to that city, therefore, which has been regarded as one of the strongest proofs of her guilty complicity with Bothwell, admits, according to the testimony of her enemies, of a most simple and natural explanation.

It is asserted that while the queen was at Glasgow she wrote certain letters to Bothwell; and it may be admitted that, if these letters are genuine, she was accessory to the murder of her husband. It will therefore be necessary to pause in our narrative, while we invite the attention of the reader to these justly-celebrated productions.

The first[2] of the alleged letters in the English

[1] "You ask me" (it is Darnley who speaks) "what I mean by the cruelty contained in my letter; it is of you alone, that will not accept my offers and repentance."—See No. 2 of the queen's alleged letters to Bothwell in this chapter.

[2] This letter is often printed as the second of the series; but it is placed first by Buchanan, and we know that it was the first produced at Westminster.—See Appendix C.

edition of Buchanan's 'Detection' is to the following effect:—

LETTER No. 1.

It appears that with your absence there is also joyned forgetfulness, seeing that at your departing you promised to make me advertisement of your news from time to time. The waiting upon them yesterday caused me to be almost in such joy as I will be at your returning, which you have delayed longer than your promise was. As to me, howbeit I have no further news from you, according to my commissions I bring the man with me to Craigmillar upon Monday, where he will be all Wednesday; and I will go to Edinburgh, to draw blood of me, if in the mean time I get no news to the contrary from you. He is more gay than ever you saw him; he puts me in remembrance of all things that may make me believe he loves me. Perhaps you will say that he makes love to me, of the which I take so great pleasure that I enter never where he is but incontinent I take the sickness of my sore side, I am so troubled with it. If Paris[1] brings me that which I send him for, I trust it shall amend me. I pray you advertise me of your news at length, and what I shall do in case you be not returned when I am come there; for in case you work not wisely, I see that the whole burden of this will fall upon my shoulders. Provide for all things, and discourse upon it first with yourself. I send this by Betoun, who goes to one day of law of the Lord of Balfours. I will say no further, saving I pray you to send me good news of your voyage.—From Glasgow this Saturday in the morning.

The letters are eight in number, and this is the only one that bears a date. The writer says that according to her commission she "brings the man to Craigmillar on Monday," an expression which implies that it had been previously agreed between her and Bothwell that her husband should be brought to that place; but according to another piece of evidence

[1] A French servant of the queen.

produced by the queen's enemies, Bothwell had already been preparing another place for the reception of the king.

At the Conference at Westminster in 1568, Murray produced a journal or diary of events in Scotland, commencing with the birth of the prince, and ending with the battle of Langside. According to this journal, the queen could not possibly have had a commission to bring her husband to Craigmillar, for on the day before her letter was written, Bothwell was preparing the house at the Kirk-of-Field for the reception of the king.[1] How is this contradiction to be accounted for?

We learn from the deposition of Thomas Nelson, the only one of Darnley's servants who survived the catastrophe at the Kirk-of-Field, that it was first proposed at Glasgow that Darnley should accompany the queen to Craigmillar; "but because he had no will thereof,"[2] the purpose was altered, and he was taken to the Kirk-of-Field instead. But it is inexplicable how Bothwell should have known of this decision before the queen herself. On the Saturday morning, the 25th of January, she writes positively that she will bring her husband to Craigmillar; yet on the day before, according to the journal, Bothwell knew that he was coming to the Kirk-of-Field, and was making his preparations accordingly.

This letter was produced before Elizabeth's commissioners both at York and at Westminster, and there was a person in England at the time who could have

[1] "And Bothwell, this 24th day [of January], was found verray tymus, weseing the king's ludging that wes in preparing for him; and the same nycht tuik journay towards Lyddisdail."—See Appendix D.

[2] Howell's State Trials, i.

given important evidence regarding it. Archibald Beton,[1] by whom it is alleged to have been carried, was at Bolton Castle, in attendance upon his mistress, the Queen of Scots; but we hear of no attempt being made to obtain the attendance of this most necessary witness, nor was any question ever put to him upon the subject.

The second letter, also said to have been written from Glasgow, was the most important piece of evidence produced against the Queen of Scots. A contemporary copy of it in English, marked with Cecil's hand, is still preserved in the Public Record Office. It is as follows:[2]—

LETTER No. 2.

Being gon from the place where I had left my heart, it may be easily judged what my countenance was, considering what the body may without heart, which was cause . . . that till dinner I had used little talk, neither would anybody adventure himself thereunto, thinking that it was not good so to do.

Four miles from thence a gentleman of the Earl of Lenox came and made his commendations and excuses unto me, that he came not to meet me, because he durst not enterprise so to do, considering the sharp words that I had spoken to Conyngham, and that he desired that I would come to the enquisition of the facts which I did suspect him of. This last was of his own head without commission; and I told him that he had no receipt against fear, and that he had no fear if he did not feel himself faulty. And that I had also sharply answered to the doubts that he made in his let-

[1] See the list of the queen's attendants who accompanied her to England.—Chalmers, i. 441.

[2] This letter contains various short passages which are not to be found in the Scotch, Latin, or French versions of the letters. These passages I have put in italics.

ters, ... *as though there had been a meaning to pursue him.* To be short, I have made him hold his peace; for the rest it were too long to tell you. Sir James Hamilton came to meet me, who told me that at another time he went his way when he heard of my coming, and that he sent unto him Houstoun, to tell him that he would not have thought that he would have followed and accompany himself with the Hamiltons. He answered that he was not come but to see me, and that he would not follow Stuart nor Hamilton but by my commandment. He prayed him to go speak to him: he refuses it. The Lord Luse, Houstoun, and the son of Caldwell, and about forty horse, came to meet me, and he told me that he was sent to one day o' law from the father, which should be this day, against the signing of his own handwriting, and that, knowing of my coming, he hath delayed it, and hath prayed him to go see him, which he hath refused, and swearing that he will suffer nothing at his hands. Not one of the town came to speak with me, which maketh me to think that they be his, and they so speaketh well of them, at least his son. The king sent for Joachim,[1] and asked him why I did not lodge nigh to him, and that he would rise sooner, and when I came, whether it were for any good appointment that he came, and whether I had not taken Paris and Gilbert to write, and that I sent Joseph. I wonder who hath told him so much even of the marriage of Bastian. This bearer shall tell you now, upon that I asked him of his letters. And where he did complain of the cruelty of some of them. He said that he did dreme, and that he was so glad to see me that he thought he should die[2]—indeed, that he had found fault with me.[3]

I went my way to sup. . . . This bearer shall tell you of my arriving. He prayed me to com agayne, which I did; and he told me his grief, and that he would make no testa-

[1] In the Scotch, "sent for Joachim *yesternight;*" in the French, "le roy appella hier Joachim;" in the Latin, "rex accersivit Joachimum heri."—Goodall, ii. 4.

[2] "For glaidness," in the Scotch, and the same literally rendered in the French and Latin.

[3] "That I was pensive," in the Scotch, French, and Latin.

ment, but leave all unto me, and that I was cause of his sickness, for the sorrow he had, and that I was so strange unto him. And, said he, "you asked me what I meant in my letter to speak of cruelty. It was of your cruelty, who will not accept my offres and repentance. I vow that I have don amisse, but not that I have also always disavowed; and so have many other of your subjects, and you have well pardoned them. I am young. You will say that you have also pardoned me in my time, but that I return to my fault. May not a man of my age, for want of counsel, fail twice or thrice, and misse of promise, and at the last repent and rebuke himself by his repentance? If I may obtain this pardon, I protest I will not make fault again. And I ask nothing but that we may be at bed and table together as husband and wife; and if you will not, I will never rise from this bed. I pray you, tell me your resolution hereof. God knoweth that I am punished to have made my god of you, and had no other mind but of you. And when I offend you sometime, you are cause thereof; for if I thought, when anybody doth any wrong to me, that I might for my resource make my moan thereof unto you, I will open it to no other; but when I hear anything, being not familiar with you, I must keep it in my mind, and that troubleth my witts for anger."[1] I did still answer him, but that I shall be too long. In the end I asked him whether he would go in the English ship. He doth disavow it, and sweareth so, but confesseth to have spoken to the men. Afterwards I asked him of the inquisition of Hiegate. He denied it till I told him the very words, and then he said that Minto sent him word that it was said that some of the Councill had brought me a letter to sign to put him in prison, and to kill him if he did resist, and that he asked Minto himself, who said unto him that he thought it was true. I will talk with him to-morrow upon that point. The rest, as Will[2] Hiegate hath confessed; but it was the next day

[1] The whole of this passage agrees almost word for word with Crawford's deposition.

[2] This passage is unintelligible in the English, but a reference to the Scotch explains it. "As to the rest of Willie Hiegate, he" (*i.e.*, the king) "confessed it; but it was the morne after my cumming" (*i.e.*, after the queen's arrival in Glasgow) "or" (*i.e.*, before) "he did it."

that he came hither. In the end, he desired much that I should lodge in his lodging. I have refused it. I have told him that he must be purged, and that could not be done here. He said unto me, "I have heard say that you brought the litter, but I would rather have gone with yourself." I told him that sō I would myself bring him to Craigmillar, that his physicians and I also might serve him without being far from my son. He said that he was ready when I would, so as I would assure him of his request. He hath no desire to be seen, and waxeth angry when I speak to him of Wallcar, and saith that he will pluck his ears from his head, and that he lieth; for I asked him before of that, and what cause he had to complain of some of the lords, and to threaten them. He denyeth it, and saith that he had already prayed them to think no such matter of him. As for myself, he would rather lose his life than do me the least displeasure; and used so many kinds of flatteries, so coldly and so wisely, as you would marvyle at. I had forgotten that he said that he could not mistrust me for Hiegate's word, for he would not believe that his ownself (which was myself) wold do him any hurt; and indeed it was said that I refused *to have him let blood.*[1] But for the others, he wold at least sell his life deare ynoughe; but that he did suspect nobody, nor would, but love all that I did love. He would not let me go, but wold have me to watche with him. I made as though I thought all to be true, and that I would think upon it, and have excused myself from sitting up with him this night, for he saith that he sleepeth not. You never heard him speake better nor more humbly; and if I had not proof of his heart to be as waxe, and that mine were not as a diamond, no stroke but coming from your hand would make me but to have pity of him. But fear not, for the place shall continue till death.[2] Remem-

[1] In the Scotch, "to subscrive the same;" in the French, "souscrire à cela;" in Latin, "ei rei subscribere." Laing suggests that the English translator must have mistaken "signer" for "saigner."—Laing, ii. 159.

[2] In quoting this passage, Mr Froude has altered "place" into "plan," thus, "the plan shall hold to the death."—See vol. viii. 358. But he has misunderstood the meaning of the writer. "Place," in the Scotch, means castle or place of strength. It is correctly trans-

ber also, in recompence thereof, not to suffer yours to be won by that false race that would do no less to yourself. I think they have been at school together. He hath always the tear in his eye. He saluteth every man, even to the meanest, and maketh much of them, that they may take pity of him. His father hath bled this day at the nose and at the mouth—guess what token that is. I have not seen him; he is in his chamber. The king is so desirous that I should give him meat with my own hands, but trust you no more there where you are than I do here. This is my first journey; I will end tomorrow. I write all, how little consequence soever it be of, to the end that you may take of the whole that shall be best {for you to judge. / for your purpose.} I do here a work that I hate much, *but I had begun it this morning;* and you not list to laugh to see me so trimly make a lye at the least dissemble, and to mingle truth therewith. He hath almost told me all on the bishop's behalf and of Sunderland, without touching any word unto him of that which you had told me; but only be much flattering him and praying him to assure himself of me, and by my complaining of the bishop, I have disclosed all,[1] *I have known what I would. I have taken the worms out of his nose.* You have heard the rest. We are tied to with two false races. The *good yeere*[2] untye us from them. *God forgive me,* and God knit us together for ever, for the most faithful couple that e'er he did knit together. This is my faith —I will die in it. Excuse it if I write ill; you must guess the one-half I cannot do withal, for I am ill at ease, and glad to write unto you when other folke be asleep, seeing that I cannot do as they do, according to my desire, that is between your arms, my dear life, who I beseech God to preserve from all ill, and send you good rest, as I go to seek mine, till

lated in the French version of the letter, "forteresse."—Goodall, ii. 12.

[1] The words in italics only occur in this version of the letter. "I have taken the worms out of his nose" is obviously a French phrase literally translated, "tirer les vers du nez."

[2] In the Scotch, "the devill sunder us;" in the Latin, "diabolus nos sejungat." The French translator, mistaking the meaning of both, makes it, "le diable nous vueille separer."—Goodall, ii. 14.

to-morrow in the morning, that I will end my bible.[1] But it grieveth me that it should let me from writing unto you of news of myself, much I have to write so *long the same is.* Send me word what you have determined hereupon, that we may know by the one the other's mind for marring of anything. I am weary, and am asleep, and yet I cannot forbear scribbling as long as there is any paper. Cursed be this pocky fellow that troubleth me thus much, for I had a pleasanter matter to discourse unto you but for him. He is not much the worse, but he is[2] *ill arrayed.* I thought I should have been killed with his breath, for it is worse than your uncle's breath; and yet I was set no nearer to him than in a chair *by his bolster,*[3] and he lieth at the further side of the bed.

The message of the father by the way. The talk of Sir James Hamilton of the ambassador. That the Lord of Lusse hath told me of the delay. The questions that he asked of Joachim, of my state, of my company, and of the cause of my coming, and of Joseph.

The talk that he and I have had, and of his desire to please me, of his repentance, and of the interpretation of his letter, of Will Hiegate's doing, and of his departure, and of the L. of Livingstoun.

I had forgotten of the L. of Livingstoun, that he at supper said softly to the Lady Reres, that he drank to the persons I knew of, if I would pledge them. And after supper he said softly to me, when I was leaning upon him and warming myself, "You may well go and see sick folk, yet can you not be so welcome unto them as you have this day left somebody in pain, who shall ne'er be merry till he has seen you again." I asked him who it was; he took me about the body,

[1] In the Scotch "bylle," or "letter," which both the English and French translators have converted into "bible."

[2] In the Scotch, "he has received very mickle;" in the French, "il en a pris beaucoup," alluding apparently to the illness—*i. e.*, the smallpox—from which he was recovering. "Ill arrayed" is evidently nonsense. The Latin closely follows the Scotch and the French, "multum tamen accepit."

[3] In the Scotch, "at the bed-fute;" in the French, "à ses pieds;" in the Latin, "ad pedes ejus."

and said, "One of his folk that hath left you this day." Guess you the rest.

It is a question among the queen's enemies whether this letter was written at one or two sittings. The former proposition is maintained by Laing, the latter by Robertson and Hume. It is only necessary to remark at present, that if the letter was divided into two parts, this passage regarding Lord Livingstone may be considered as a postscript to the first.

It will be observed that the description given by the queen of her first interview with Darnley corresponds exactly with the deposition of Crawford. The agreement, indeed, is so remarkable as to lead us to suspect that the same person who drew up the deposition either wrote or furnished the materials for the letter. We can readily believe that Darnley should have communicated to his confidant the result of his interview with the queen; but why she should describe it with equal minuteness to Bothwell it is difficult to explain. We should imagine that about the last thing a woman would do in writing to her paramour would be to repeat with painful accuracy her conversations with her husband; but if the letter is a forgery, the temptation to make it agree with the deposition of Crawford would be very strong. We find, in fact, that they are almost identical.[1] That any two per-

[1] THE DEPOSITION OF CRAWFORD.

"Ye asked me what I ment bye the crueltye specified in my lettres; yat procedethe of yow onelye, that wille not accept mye offres and repentance. I confesse that I have failed in som thingis, and yet greater faultes have bin made to yow sundrye tymes, which ye have forgiven. I am but yonge, and ye will saye ye have forgiven me diverse tymes. Maye not a man of mye age, for lacke of counsell, of which I am

THE ALLEGED LETTER OF THE QUEEN.

"Ze ask me quhat I mene be the crueltie contenit in my letter; it is of zow alone, that will not accept my offeris and repentance. I confess that I have faillit, but not into that quhilk I ever denyit; and sicklyke hes failit to sindrie of zour subjectis, quhilk ze have forgiven. I am zoung. Ze wil say, that ze have forgevin me oft tymes, and zit yat I returne to my faultis. May not ane man of my age, for lacke of counsell, fall

sons should agree, with such perfect accuracy, in relating from memory a conversation of this length,

verye destitute, falle twise or thrise, and yet repent, and be chastised bye experience? If I have made any faile that ye but think a faile, howsoever it be, I crave your pardone, and protest that I shall never faile againe. I desire no other thinge but that we may be together as husband and wife. And if ye will not consent hereto, I desire never to rise forthe of this bed. Therefore, I praye yow, give me an answer hereunto. God knoweth howe I am punished for making mye god of yow, and for having no other thought but on yow. And if at any tyme I offend yow, ye are the cause; for that when ainie offendethe me, if for my refuge I might open mye minde to yow, I woulde speak to no other; but when anie thing is spoken to me, and ye and I not beinge as husband and wife ought to be, necessitie compelleth me to kepe it in my brest," &c.—See Appendix L.

twyse or thryse, or in lacke of his promeis, and at last repent himself, and be chastisit be experience? Gif I may obtain pardoun, I protest I sall never mak fault agane. And I craif na uther thing bot yat we may be at bed and buird togidder as husband and wyfe; and gif ze wil not consent heirunto, I sall nevir ryse out of yis bed. I pray zow, tell me zoor resolution. God knawis how I am punischit for making my god of zow, and for having na uther thocht but on zow; and gif at ony tyme I offend zow, ze are the caus; becaus quhen ony offendis me, gif for my refuge I micht playne unto zow, I wald speik it unto na uther body; but quhen I heir ony thing, not being familiar with zow, necessitie constrains me to keip it in my breist," &c.

See Burton, iv. 441. So far there is an entire agreement between the deposition and the letter;[1] and it may be asserted with perfect confidence, that if the conversation between the queen and Darnley had been taken down in shorthand on the spot by two experienced reporters, the resemblance would not have been so exact. If the reader will cast his eye over the two subjoined reports, he may test at once the truth of this assertion. They are taken from the columns of the two daily journals which have the largest circulation in the kingdom, and they profess to give verbatim the commencement of the judge's charge in a recent case which created an extraordinary degree of interest. It will be found that although the train of thought is identical in both, the form of expression frequently varies, and that the structure of the sentences is entirely different. There is nothing, in short, like that "overwhelming" resemblance which we find between the deposition of Crawford and the alleged letter of the queen.

In the case of Saurin *v.* Star the Lord Chief-Justice is reported to have commenced his charge to the jury as follows, in

THE 'TIMES,' 27TH FEBRUARY 1869.

"Gentlemen,—I congratulate you on having arrived at the conclusion of this monster cause,' arising out of the miserable squabbles of a convent, which might

THE 'DAILY TELEGRAPH' OF SAME DATE.

"Gentlemen of the Jury,—I congratulate you most heartily upon having arrived at last at the closing day of what,

[1] The former, it will be observed, is in English, and the latter in Scotch.

is a circumstance that must strike with astonishment every one who has marked the discrepancies which

much better have been disposed of, and ought to have been disposed of, by the visitorial jurisdiction of the bishop, according to the constitution of the order. But the cause is here; and however little it may interest us, no doubt it is of deep and vital importance to the parties concerned, and we must endeavour to ascertain on which side the truth and justice lie. There is no doubt that, in consequence of the revelations of convent life which the trial has elicited, it has acquired a factitious interest and importance which, if it had related to disputes arising in any other religious society, it never would have possessed. We must take care that neither party derives any unfair advantage from the religious element mixed up in the case. The plaintiff has what the defendants may deem a great advantage to her and a great disadvantage to them—that they are here upon their trial before a Protestant jury; and I must warn you against allowing any religious prepossessions or prejudices to operate to the advantage of one party or the disadvantage of the other. I believe I am addressing twelve gentlemen who belong to our great Protestant community, and as such, perhaps also as thinking men, you may think that convent life is an object of dislike and of suspicion."

to use a modern phrase, I may call this 'monster case.' I regret very heartily, knowing from your various avocations how valuable time is to you, that upon you should have fallen the lot to try this long and wearisome case. On public grounds I regret that the time of this court, when so many cases of importance are waiting for trial, should have been now for nearly a month occupied with a case of this description, arising out of the miserable jealousies of convent life, which I think would have been much better, and I think ought to have been, investigated by that visitorial power which, according to the rules and constitution of the convent, has authority over it. But the case is here; and however little it may interest us, it is of deep and vital importance to the parties concerned, and we must deal with it according as the interests of justice require, and what is right between the parties, and endeavour to ascertain to the best of our ability on which side the truth lies. And again, however uninteresting this case may be to many, there can be no doubt that, in consideration of its being connected with a religious association and bringing to light what passes in convent life, this trial has acquired a factitious importance which, if it had related to disputes on any other matter, it would certainly not have possessed; and we must take care that neither party derives any undue advantage from the religious element which is mixed up in the consideration of these questions. The parties are here before a Protestant jury, and I trust you will forgive me for warning you not to allow your religious profession or religious prejudices to interfere for the advantage of one or for the disadvantage of the other. I believe I am addressing twelve gentlemen who belong to our great Protestant community, and as such, and probably as thinking men, you may look upon convent life as an object of dislike."

every day occur in courts of justice between intelligent witnesses even upon the simplest matters of fact.

But here we have not two but three persons, all acting independently of each other, and all repeating in the very same series of sentences, and almost in the very same words, the same story. Crawford, we must remember, did not hear the conversation. It was only, he says, repeated to him by Darnley from memory, and from memory he says he wrote it down. The queen too writes it down from memory, without any intelligible motive for so doing, and sends it off to Bothwell; and the agreement between the deposition and the letter is truly described by Mr Burton[1] as "overwhelming." It is indeed so overwhelming that we cannot believe both to be genuine. A true explanation of the matter is probably to be found in a correspondence which is still preserved at Hamilton.

In the month of June[2] 1568, after Mary had fled to England from the fatal field of Langside, the Earl of Lennox, who was then at Chiswick, and John Wood, secretary to the then Regent Murray, addressed a letter to Thomas Crawford at Glasgow, desiring him "by all possible methods to search for more matters against her." This was preparatory to the conference which was about to take place at York.

Crawford's attention is particularly directed to the following points by Lennox, or, to speak more properly, by Wood, who no doubt both suggested and wrote the letter. He is, among other matters, to give them all the information he can collect as to "the time of the queen's arrival at Glasgow; the company that came

[1] Vol. iv. 441.

[2] The letter is dated on the 11th.—See Hamilton Papers.

with her; and what purpose [discourse] Thomas Crawford held with her at her coming to the town. How long she remained there with the king; her usage and custom to entertain the king; if she used to send any messages to Edinburgh; by whom; and what women were in her company," &c.[1]

Although Crawford was thus expressly asked if the queen during her visit to Glasgow sent any messengers to Edinburgh, his deposition is silent on the subject. Her enemies afterwards asserted that she sent two —namely, Beton and Paris—and that each carried a letter to Bothwell. If the circumstance had been true, it could hardly have been concealed from Crawford; but he speaks of nothing but of his conversations with Darnley, and we cannot doubt that it was in consequence of the Chiswick letter that his deposition was produced some few months afterwards. The queen's letter was exhibited at the same time, and thus a very intelligible explanation is afforded of the exact resemblance of the two. That both are genuine is morally impossible; but we can well believe that the narrative of Crawford is substantially true, and that it was afterwards appropriated almost word for word by the forger of the queen's letter, who, with the common failing of forgers, has overshot his mark by proving far too much.

Laing, who examines this letter with the utmost attention, is unaccountably silent respecting Crawford's deposition; but this historian, who invariably expresses himself with a degree of confidence which

[1] Hamilton Papers, 120. Two other retainers of Lennox—namely, Robert Cuningham and John Stewart—were written to at the same time, but apparently without any result.

much diminishes that of his readers, asserts that this letter is a genuine and most characteristic composition of the Scottish queen. "Nothing is explained," he says, "of which Bothwell was informed; nothing omitted of which he required information."[1] These remarks are unfortunate, for she dwells upon details which, unless he were the most inveterate of gossips, could have little interest for Bothwell, while she misleads him on the only point of practical interest in the letter. Bothwell would probably care little about Darnley's confessions and complaints, but he would doubtless be eager to know where his victim was to be lodged on his arrival in Edinburgh. The queen is made to inform him that her husband is to be brought to Craigmillar, but we know that he was brought directly to the Kirk-of-Field.

With regard to its internal evidences of authenticity, every reader of this letter must judge for himself. It was necessary for the enemies of the queen to show that she entertained at this time a violent passion for Bothwell, and a no less violent hatred of her husband. The letter, accordingly, contains abundant proofs of both. Not only does she express the most extravagant attachment for her supposed paramour, but she seems to anticipate with savage joy the approaching fate of Darnley. She exultingly contrasts her own heart of adamant with her husband's heart of wax; and to her guilty fancy the bleeding of his father's nose and mouth foreshadows the intended murder. "Have ye not desire to laugh to see me lie so well?"[2] she then exclaims, as she paints the perfidious arts with which she lulls the suspicions of her helpless victim.

[1] Vol. i. 329.

[2] See the Scotch version in Goodall.

Hume pronounces the style of this letter to be "natural," though inelegant. But human depravity surely has its limits, and the most hardened wretches do not boast, and least of all in writing, of their treachery and cruelty. Even in the realm of fiction we find no such revolting picture. The most terrible woman that Shakespeare ever painted was, it so happens, a former queen of Scotland; but although determined at all hazards that Duncan shall be slain, Lady Macbeth indulges in no unseemly levity with the partner of her crime, nor does she gloat with fiendish delight over her intended victim. Calm, resolute, remorseless, she fills us with terror, it may be at last with pity; but never with disgust. The brutal levity of Bothwell's correspondent inspires the latter sentiment alone.

There are hundreds of genuine letters of the Queen of Scots still extant, many of which are universally admitted to be models of good feeling and good taste. In none do we find the smallest approach to unbecoming levity or coarseness of expression; and the same remark applies to her reported conversations, which differ notably in this respect from those of her more fortunate rival. And are we to believe that a princess, famed throughout Europe for intelligence and humanity, sank all at once to the depth of wickedness depicted in this Glasgow letter? It is obvious that a charge of this heinous kind ought to be supported by the strongest evidence. Whether that which was produced in its support answers to this description will be considered in its proper place.

There is only one other passage in the first portion of the letter to which we would call the attention of

the reader, and that is to the concluding paragraph or postscript.

This postscript is perhaps the most remarkable passage in the whole letter. It represents Lord Livingstone and Lady Reres talking openly in the presence of the queen of her guilty intimacy with Bothwell. The queen says that while she is at supper Lord Livingstone[1] alludes in a familiar bantering way to her fondness for Bothwell, and proposes to drink his health. How many persons were present we are not informed, but this is said in the hearing at least of Lady Reres. In the same bantering tone Lord Livingstone alludes to the queen's visit to her sick husband, yet she betrays not the smallest resentment or even surprise at this impertinence. On the contrary, she seems pleased and flattered; for we find her shortly afterwards at the fireside leaning bodily on the man who had just spoken slightingly of her husband and proposed the health of her paramour. She even represents herself as asking who that person is; and by way of reply Livingstone "thristit her body"[2]—*Anglicè*, nudged her majesty in the ribs. She not only takes all in good part, but dwells with evident satisfaction on the whole scene.

A fair critic[3] of these letters has observed that they bear unmistakable marks of having been written by a man, and this scene in particular is so intensely coarse that we can hardly believe it to have been painted by a female hand. The colours are too glaring and too gross. Not only is the queen represented with the morals of a Messalina, and with manners that would disgrace a kitchen-wench, but she actually de-

[1] Lord Livingstone was at this time a young man and a Protestant.
[2] In the Scotch.—See Goodall.
[3] Mademoiselle de Keralio.

scribes to her paramour her suspicious familiarities with another man. Would not the last incident have been instinctively concealed even by the most abandoned woman in the world?

If Mary's courtiers ventured upon such allusions in her presence, we may be sure that they said much more behind her back; and if this were so, how comes it that we hear nothing of her intimacy with Bothwell before her husband's death? We know that she was surrounded by enemies and spies, who were ever on the alert to spread abroad anything to her discredit. The envoys of Elizabeth, the Protestant lords and the Protestant preachers, the Earl of Lennox and his partisans, were all upon the watch, yet all are silent on the subject. Mary herself, as she informed her ambassador in Paris only four days before the alleged date of this letter,[1] was perfectly aware of the perilous position in which she stood, and more especially of the close attention with which all her actions were watched by the relatives of her husband. Yet it was in Glasgow, where her husband was residing at the time, and where the Lennoxes were in the midst of their friends and adherents, that Mary is represented as talking and joking with her attendants about her guilty intimacy with Bothwell.

We may observe that the Lady Reres referred to in this letter is represented in Buchanan's 'Detection,' in the Book of Articles, and in the depositions of Paris, as the confidant of the queen in her alleged intrigue with Bothwell. But the name of this lady does not appear as in any way connected with the court. Although Mary, in her testamentary inventory of jewels, seems to

[1] Laing asserts that this letter was written on Friday the 25th January.

have remembered every one who had claims upon her friendship, she makes no bequest to Lady Reres. Neither does her name appear in the long list of the royal household which was made out at this very time,[1] when the queen and she were asserted to be on the most intimate terms. We know nothing, in short, of Lady Reres, except that she was a sister of the Lady of Buccleuch, and a niece of Cardinal Beaton; which latter circumstance would probably, in the eyes of all true Reformers, justify any accusation against her.

We proceed with the remainder of the letter:—

This day I have wrought till two of the clock upon this bracelet, to put the key in the clift of it, which is tied with two laces. I have had so little time that it is very ill, but I will make a fairer; and in the mean time take heed that none of those that be here do see it, for all the world would know it, for I have made it in haste in their presence. I go to my tedious talk. You make me dissemble so much that I am afraid thereof with horrour, and you make me almost to play the part of a traitor. Remember that if it were not for obeying you, I had rather be dead. My heart bleedeth for it. To be short, he will not come but with condition that I shall promise to be with him as heretofore at bed and board, and that I shall forsake him no more; and upon my word he would do whatsoever I will, and will come, but he hath prayed me to tarry till after to-morrow. He hath spoken at the first *more pleasantly*,[2] as this bearer shall tell you, upon the matter of the Inglishman and of his departure; but in the end he cometh to his gentleness again. He hath told me, among other talk, that he knew well that my brother had told me at Stirling that which he had said there, whereof he had denied the half, and specially that he was in his chamber. But now to make him trust me I must feign something unto him; and therefore, when he desired me to promise that when he should be

[1] *I.e.*, in February 1567.—Teulet, ii. 268; Maison de Marie Stuart.

[2] In the Scotch, "verray bravely;" French, "fort asprement;" Latin, "valde ferociter."

well we should make but one bed, I told him (feigning to believe his fair promises) that if he did not change his mind between this time and that, I was contented, so as he would say nothing thereof; for (to tell it between us two) the lords wished no ill to him, but did fear lest, considering the threatening which he made in case we did agree together, he would make them feel the small account they have made of him, and that he would persuade me to pursue some of them, and for this respect should be in jealousy if { by-and-by / at one instant } without their knowledge I did break the game made to the contrary in their presence. And he said unto me very pleasant and merry, "Think you that they do the more esteem you therefore? But I am glad that you have talked to me of the lords. I hope that you desire now that we shall live a happy life; for if it were otherwise, it could not be but greater inconvenience should happen to us both than you think. But I will do now whatsoever you will have me do. I will love all those that you shall love, and so as you make them to love me also. For so as they seek not my life I love them all equally." Thereupon I have willed this bearer to tell you many pretty things; for I have too much to write, and it is late, and I trust him upon your word. To be short, he will go any where upon my word. Alas! I never deceived anybody; but I remit myself wholly to your will, and send me word what I shall do, and whatsoever happen to me, I will obey you. Think also if you will not find some invention more secret by physick, for he is to take physick at Craigmillar, and the bath also, and shall not come forth of long time. To be short, for that I can learn he hath great suspicion, and yet, nevertheless, trusteth upon my word, but not tell me as yet anything: howbeit, if you will that I shall avow him, I will know all of him; but I shall never be willing to beguile one who putteth his trust in me. Nevertheless you may do all, and do not esteem me the less therefore, for you are the cause thereof. For, for my own revenge, I would not do it. He giveth me certain charges (and these strong) of that that I fear even to say that his faults be published; but there be that commit some secret faults, and

fear not to have them spoken of so lowdely, and that there is speech of greate and small, and even touching the Lady Reres, he said, "God grant that she serve you to your honour;" and that any may not think, nor he neither, that mine own power was not in myself, seeing I did refuse his offers. To conclude, for assurety he mistrusteth her of that that ye know, and for his life. But in the end, after I had spoken two or three good words to him, he was very merry and glad. I have not seem him this night for ending your bracelet, but I can find no clasps for it; it is ready thereunto, and yet I fear lest it should bring you ill hap, or that it should be known if you were hurt. Send me word whether you will have it, and more money, and when I shall return, and how far I may speak. *Now, as far as I perceive,* { *J'ay bien la vogue avec vous.* / *I may do much without you.* } *Guess you whether I shall not be suspected.*[1] As for the rest, he is mad when he hears of Ledinton, and of you, and my brother. Of your brother he sayeth nothing, but of the Earl of Argyle he doth; I am afraid of him to hear him talk, at the least he assureth himself that he hath no ill opinion of him. He speaketh nothing of these abroad, neither good nor ill, but avoideth speaking of them. His father keeping his chamber, I have not seen him. All the Hamiltons be here who accompany me very honestly. All the friends of the others do come always when I go to visit him. He hath sent to me, and prayeth me to see him rise to-morrow in the morning early. To be short, this bearer shall disclose unto you the rest; and if I learn anything, I will make every night a memorial thereof. He shall tell you the cause of my stay. Burn this letter, for it is too dangerous, neither is there anything well said in it, for I think upon nothing but upon *grief*[2] *if you be at Edinburgh.*

Now if to please you, my dear life, I spare neither honor, conscience, nor hazard, nor greatness, take it in good part,

[1] These two sentences are not to be found in the Scotch, French, or Latin versions.

[2] In the Scotch, "I am thinkand upon nothing but fascherie. Gif ye be in Edinburgh at the ressait of it, send me word sone." And this is literally copied in the Latin and the French.

and not according to the interpretation of your false brother-in-law, to whom, I pray you, give no credit against the most faithfull lover that ever you had or shall have. See not also her[1] whose feigned tears you ought not more to regard than the true travails which I endure to deserve her place, for obtaining of which, against my own nature, I do betray those *that could lett me.* God forgive me, and give you, my only friend, the good luck and prosperity that your humble and faithfull lover doth wish unto you, who hopeth shortly to be another thing unto you, for the reward of my pains. *I have not made one word,* and it is very late, although I should never be weary in writing to you, yet will I end, after kissing of your hands. Excuse my evil writing, and read it over twice. Excuse also that I scribbled, for I had yesternight no paper, when I took the paper of a memorial. Pray remember your friend, and write unto her, and often. Love me always as I shall love you.

The English copy of the letter in the Record Office ends here. To the Scotch copy are attached the following memoranda: "Remember you of the purpose of Lady Reres, of the Englishmen, of his mother, of the Earl of Argyll, *of the Earl of Bothwell,*[2] of the lodging in Edinburgh." These are copied literally both in the French and Latin.

How are we to account for the many variances between this contemporary English version of the letter and the Scotch, French, and Latin versions? The exact agreement between the three latter is remarkable; and, as was long ago pointed out,[3] both the Latin and the French are literal and even servile translations from the Scotch. Have, then, the English and the Scotch translations been both made from the

[1] Lady Bothwell.

[2] Why the Earl of Bothwell should be reminded of himself no one has explained.

[3] By Goodall.

same original? and if so, why do we find so many variances between them? Or were there two different originals of this famous letter? As the alleged originals have long since disappeared, these are questions which no one can answer. We only know that from first to last everything connected with these letters is involved in mystery and contradiction.

Between the first and the last half of this long letter there is a decided contrast. In the first, the fierce and reckless spirit of the writer is manifest throughout; in the latter half she is full of remorse for the crime she is about to commit. She gives vent to this feeling again and again. She never deceived any one before; she abhors the treachery she is practising on her victim; her heart bleeds for him; and she would rather be dead than proceed with her hateful task. This picture appears to be no less overdrawn than that exhibited in the first half of the letter. In that, she paints herself as a being devoid alike of human feeling and of womanly decency; in this, she is burdened with a conscience so sensitive and tender that we cannot believe its possessor could ever have become a murderess. The difference between the two portraits leads us to suspect that this extraordinary letter was the work of different hands.

We have already stated that there is a difference of opinion among the enemies of the queen as to whether it was written at one or at two sittings. Robertson[1] says it was plainly written at different times, and the language of the letter itself seems to place the matter beyond all doubt. And, first, as to the time when it was commenced: it is clear from more than one ex-

[1] Dissertation, iii. 247.

pression that that could not have been at the earliest before Friday the 24th of January. In the first portion of the letter the writer says, "The king sent for Joachim *yesterday*, and asked of him why I lodged not beside him." And again: "As to the rest, William Highgate, he confessed it; but it was the *morning after my coming* ere he did it." This latter phrase renders it very improbable that the letter could have been begun so early as Friday night, because in that case we should have expected that the writer would have said "this morning," as a person naturally would when speaking of the day upon which they are writing. "The day after my aarival" would plainly imply some day previous to the present.

There is another difficulty. We have seen that the first letter is dated on "Saturday morning." If we believe, therefore, that the second was begun on Friday night, we must conclude that the queen sent away the one while the other was still unfinished—a possible, but a very improbable, occurrence.

But assuming, with Laing, that the letter was begun on Friday, it contains a variety of passages which clearly show that it was not finished upon that day. Towards the close of the first half the writer says, "I beseech God to preserve [you] from all ill, and send you good rest, as I go to seek mine, till to-morrow in the morning, when I will end my bylle."[1] And towards the close of the second part she says, "Excuse also that I scribbled, for I had *yesternight* no paper, when I took the paper of a memorial;" meaning, it may be presumed, that her paper had failed on the previous night, and that she had used that on which she had

[1] Printed "bible" in the English translation.

made the memoranda which we find in the middle of the letter.

But if we conclude that the letter was begun on the Friday and finished on the Saturday night, an insuperable difficulty arises. The queen, according to the testimony of her enemies, arrived in Glasgow upon Thursday the 23d of January, and left that city on Monday the 27th, accompanied by her husband. If, therefore, the letter was not finished until Saturday night or Sunday morning, it was not possible for her to receive an answer to it, which it is asserted she did, *before* she quitted Glasgow. To obviate this difficulty, and in direct contradiction to the language of the letter itself, Laing asserts that it was both begun and finished on Friday night, and sent off to Bothwell on the following morning.

According to Robertson, therefore, the queen sent off one letter on Saturday morning while she was busy writing another. According to Laing, she sent off on the same morning two separate letters, by two separate messengers, a distance of some fifty miles, in the depth of winter; and what is still more remarkable, neither of these letters contains the slightest allusion to the other.

But assuming for the moment that Laing is right, let us trace the subsequent history of this letter. It was carried to Edinburgh, he tells us, by Nicolas Hubert, commonly called French Paris, a servant of the queen, and by him delivered to Bothwell. This could not have been before Saturday afternoon the 25th. On the day following, which would be Sunday the 26th, but not till "after dinner-time,"[1] Paris,

[1] See the second deposition of Paris.—State Trials, i.

we are told, received an answer from Bothwell to carry back to the queen. This Paris was not produced at the Westminster conferences, although we have reason to believe that he was in Scotland at the time. We know, at all events, that he was in Scotland a few months afterwards, and Elizabeth naturally wished to have this most important witness examined in London; but instead of sending up the living man, the Regent Murray sent up his alleged deposition after he had been summarily put to death as an accomplice in the murder of the king. We shall have occasion by-and-by to refer to this document. We only wish at present to call attention to that portion of it which relates to the alleged delivery of the queen's letter to Bothwell.

It is thus possible, according to the supposition of Laing, that Paris might have reached Glasgow with Bothwell's reply before the queen left that city on Monday morning. But another difficulty of a still more formidable kind remains to be surmounted. On referring to the journal or diary of the Regent Murray already noticed, we learn that, instead of being in Edinburgh on the 25th and 26th of January, Bothwell was in Liddesdale, some seventy miles distant.[1] The testimony of Paris is thus contradicted, on a vital point, by the very men who produced it.

To overcome this fresh obstacle, Laing has recourse to a conjecture, or rather to an assertion, unsupported by any kind of proof. He says that Murray's journal was purposely falsified in respect of the journey of Bothwell to Liddesdale, and that he only went instead to Whittingham, in East Lothian, for the purpose of

[1] See Appenix D.

meeting Morton, to induce him to join in the conspiracy against the king. In starting this theory, Laing appears to have forgotten that he made a most serious charge against the queen's accusers, whose credit he was labouring to maintain. By thus asserting that they manufactured evidence to suit their purposes, he virtually admits the allegation which the queen all along made against them; but he deemed it essential to uphold the credit of Paris, whose testimony, if true, is obviously of the first importance. With nothing but the purest conjecture to guide him, Laing even ventures to assert that Bothwell, after sending off his reply to the queen, proceeded to Whittingham on Sunday night the 26th of January, to meet the Earl of Morton.[1]

But we have decisive proof to the contrary. In a letter dated the 23d of January, Sir William Drury informs Cecil that Bothwell had before that time been at Whittingham to meet Morton.[2] We learn further from Archibald Douglas, a brother of the Laird of Whittingham, who was residing at the castle at the time of this mysterious interview, that it took place before the queen left Edinburgh. We learn this from the fact that after the meeting Douglas accompanied Bothwell and Maitland back to Holyrood, where, he says, the queen then was. As she arrived in Edinburgh on the 14th, and left it on the 21st of January, the interview must have taken place in the interval, and not while she was in Glasgow, as Laing, in his eager

[1] History, i. 310.

[2] "The Lord Morton lyeth at the Lord of Whittingham's, where the Lord Bothwell and Ledington came of late to visit."—Drury to Cecil, 23d January; Border Correspondence. Whittingham is distant from Berwick about forty miles.

desire to uphold the testimony of Paris, so rashly asserts.

The chronological objections to these two letters are therefore insurmountable. They do not appear to have been perceived by Robertson or Hume. They were perceived by Laing, who did his best to overcome them —with what result it is for the reader to determine.[1]

It is to be observed, and the fact speaks for itself, that during the lifetime of the Queen of Scots her enemies did not venture to make public this alleged deposition of Paris. In the most defamatory writings which they published against her they never even referred to it. It was quietly deposited in the repositories of Cecil, and in the State Paper Office, where it still remains; and it was first given to the world in Anderson's Collections upwards of a century and a half after Darnley's death.

Before concluding the subject of this famous Glasgow letter it is necessary to refer to a document preserved at Simancas, which throws upon it a very interesting light. The Earl of Murray, on his way from France to Scotland, passed through London in the end of July 1567.[2] He there had an interview with the Spanish ambassador, De Silva, whom he informed that

[1] Mr Froude on this subject is wholly unintelligible. According to him, the queen left Edinburgh on Thursday the 23d, arrived in Glasgow the following day, and the same evening wrote the long letter; but this is clearly contradicted by various expressions already referred to. Mr Froude further asserts that the letter must have been written either by Mary Stewart or by Shakespeare—a remark which we fear few of his readers will consider complimentary to the great dramatist.—Vol. viii. 353-366. He further says that after writing her letter she went to sleep "with the soft tranquillity of an innocent child," &c.; and he even gives his reasons for this assertion.—P. 361.

[2] From a letter of Leicester to Throgmorton, we find that Murray arrived in England on the 23d July.—Record Office.

"a letter"[1] had been discovered of the queen to Bothwell, and he proceeded to acquaint the Spanish envoy with its contents. The matter is so important that we shall give it in De Silva's own words. Murray, he says, assured him that the truth respecting the death of Darnley "had[2] become known beyond a doubt by means of a letter written by the queen to Bothwell of more than three sheets of paper, written in her own hand, and signed with her name. In this letter, she wrote, in substance, that he was not to delay putting their plans in execution, because her husband addressed her in such flattering words to win her over to his side that he might possibly succeed if they did not act quickly. That she would therefore go and fetch him [*i.e.*, her husband] herself, and that they would come to a house on the road, where she would contrive to have some drink given to him; and that if this could not be done, she would take him to the house where the explosion was arranged to take place on the night when one of her servants was to be married, just as it happened in fact. That Bothwell meanwhile must

[1] "Una carta."

[2] The following is the passage in the original quoted by Mr Froude, ix. 119: "Que se habia sabido sin duda por una carta de la reyna scripta a Bothwell, de mas de tres pliegos de papel, toda in su propria mano y firmada de su nombre. En la qual escribia en sustancia, que no tardase en poner en execution lo que tenian ordenado, porque su marido le decia tantas buenas palabras por engañarle y traerle á su voluntad, que podria ser que la moviese á ello; sino se haria lo demas con presteza, y que ella misma iria á traerle, y vendrian a una casa en el camino, á donde procuraria se le diese algun bevediza; y que si esto no pudiese hacerse le pondria en la casa á donde estaba ordenado lo del fuego para la noche que se habia de casar un criado suyo, camo se hizo. Y que el procurarse de desembarcar de su muger, apartandose della o dandole alguna bebida con que muriese, pues sabia que ella por el se habia puesta en aventura de perder su honra y reyno y lo que tenian en Francia y á Dios," &c.

contrive to get rid of his wife either by a divorce or by giving her some drink to cause her death; for he knew well that she [the queen] for his sake had risked her honour and her kingdom, and all she had in France, and God," &c. Murray added that he knew the contents of this letter from one who had seen and read it. This was most probably an emissary named Nicolas Elphinstone, whom he had sent from France to Scotland, but who by this time might have been in London, or who might have communicated in writing the information given by Murray to De Silva.

Mr Froude, to whose industry I am indebted for this interesting document, informs his readers that it contains an "accurate description"[1] of the long Glasgow letter. Let us pause for a moment, and ascertain if possible wherein this accuracy consists.

In the first place, it is clear that the letter described by Murray could not have been written from Glasgow, because in it the queen volunteers "to go[2] and fetch" her husband. If she had been writing by his bedside, as her enemies afterwards asserted, she could not have used this language. In the second place, the letter bore the queen's signature. Thirdly, it expressed her intention to cause poison to be given to her husband at some house on the journey—obviously between Glasgow and Edinburgh. Fourthly, if this attempt failed, she was to bring him on to the Kirk-of-Field, which was to be burnt or blown up on the night of her servant's wedding. Lastly, she urged Bothwell to get rid of his wife either by a divorce or by poison. These

[1] Vol. ix. 134.

[2] "Iria á traerle." The whole passage implies that she visited Darnley at his own request; but it suited the purpose of her enemies afterwards to allege that she went to Glasgow of her own accord.

are all circumstances peculiarly striking and impressive, and which neither Murray nor the Spanish envoy, both of them able and acute men, and accustomed both to listen and to speak with caution, were likely to have misstated or misunderstood. But it is manifest that the description thus given by Murray, and transmitted immediately afterwards by De Silva to the King of Spain, is not a description of the long letter. It was written from Glasgow, where the king then was. It was not signed by the queen. It contained no hint of any attempt to be made on Darnley's life while he was on the road to Edinburgh. It contained no allusion to the intended explosion at the Kirk-of-Field. Lastly, it contained no allusion either to the divorce or to the murder of Lady Bothwell.

What is the obvious and necessary inference? Is it not that the forgers, in the first instance, drew up a letter couched in far stronger terms than that which they eventually produced? "Whenever," says Robertson, "a paper is forged with a particular intention, the eagerness of the forger to establish the point in view, his solicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, seldom fail of prompting him to use expressions the most explicit and full to his purpose."[1] In writing this passage, we could well imagine that the historian had his eye on the Simancas description of the Glasgow letter; but he never saw it. He only defined with perfect truth the general characteristics of forgery; and if we do not find these in the description given by Murray of his sister's declared intention to murder her husband by one means or another, and to get rid of her rival, Lady

[1] Vol. iii. 242.

Bothwell, by murder also if other means failed, it is impossible to say where they are to be found.

But we must assume that, upon consideration, the letter described by Murray, which seems to have been the first rough draft of the forgery, was withdrawn, and another substituted in its place. In the letter actually produced at Westminster, the queen's signature had disappeared; and instead of the various deadly projects described by Murray, we have a single hint as to the poisoning of the king.[1] But even this is couched in language so obscure that it hardly at first arrests the attention of the reader. Lastly, the conspiracy to murder Lady Bothwell takes the milder form of jealousy, which, though sufficiently prominent, suggests no notion of intended violence. With these judicious alterations, and the important aid of Crawford's deposition, we may fairly assume that this letter, undoubtedly the most material piece of evidence produced against the Queen of Scots, was finally prepared.

We have now to say a few words as to the language in which these two letters were said to have been written.

We have the first detailed account of their contents at York in October 1568, when they were privately shown to the commissioners appointed by Elizabeth to inquire into the charges made against Mary by her rebellious subjects. The two foregoing letters were produced, with other letters and documents, by the Earl of Murray and his associates, to prove the guilt of their sovereign, and they were produced in the Scotch language. Of this we have the best possible evidence. The original despatch addressed by the

[1] The writer speaks of some more secret device by physic.—See letter No. 2, *ante*.

English commissioners to Elizabeth is still preserved in the Cotton Library; it contains a number of extracts from the two preceding letters, and these extracts are all in Scotch. That, in making these extracts, the English commissioners forwarded them as the identical expressions of the Scottish queen appears to be certain. The letters were produced neither as copies nor translations, but as the original letters of the Queen of Scots. Upon this point the words of the commissioners are clear and positive. "And[1] these men here," they say, referring to Murray and his associates, "do constantly affirm the said letters and other writings which they produce *of her own hand to be her own hand indeed*, and do offer to swear and take their oaths thereupon." No words can be more explicit. Yet the same men who produced these letters *privately* at York in Scotch, produced the very same letters *publicly* at Westminster in French, and affirmed no less solemnly that the latter were the originals. This suspicious contradiction admits of only two explanations. There was either wilful misrepresentation on the part of the Scottish commissioners at York, or their meaning was misunderstood by the English commissioners.

Laing[2] ridicules the notion of men producing as originals the same letters both in Scotch and in French in the course of a few months; but the history of these letters from first to last is involved in obscurity, and the Scotch commissioners might have a motive for their conduct of which Laing was not aware. We learn from the Earl of Sussex,[3] the ablest of Elizabeth's

[1] Goodall, ii. 142. [2] Vol. i. 218.
[3] See his letter in Lodge, i. 458, and Appendix A.

representatives at York, that the Scotch commissioners had neither the wish nor the intention to proceed with the inquiry after they had displayed in private the alleged letters of the Queen of Scots. They were afterwards forced by circumstances, as we shall find, to proceed with the inquiry at Westminster; but if they had no such intention when they produced their pretended originals at York, their conduct admits of ready explanation.

Our doubts as to the original language of these two letters are increased by another circumstance. They were afterwards published in Scotch, in French, and in Latin; but Mr Goodall[1] proved, upwards of a century ago, that of these the Scotch were unquestionably the original. Mr Goodall maintained that, by showing that the French of these letters was a translation, and a very bad translation, from the Scotch, he had conclusively proved the forgery. But the enemies of the queen replied, that he could not prove that the French version of the letters which we now possess was that produced at Westminster, and that unless he did so his argument fell to the ground. They further assert that the originals produced at Westminster are now

[1] That both the Latin and the French versions of the letters which we now possess are translations from the Scotch is clearly proved by the fact that the Latin translator, whoever he was, misunderstood various Scotch words, and that his blunders have been copied literally by the French translator. Some of these blunders are ludicrous enough. For example, the queen is made to say in the long letter, "I am irkit" (wearied), "and gangand to sleep;" and the Latin translator, mistaking "irkit" for naked, makes her say "nudata sum." In the French we have the same blunder, "Je suis toute nue." Again, the Scotch word "bylle," or letter, is converted in the Latin into "biblia;" in the French, "bible." The "Laird" of Luss is called "comarchus" in Latin and "prevost" in French, although there never was a burgh of that name in Scotland.—See Goodall, i.

lost, and that the Scotch are only translations from those originals. This is in substance the reply of Laing, who has gone more carefully into the matter than any one else, to the argument of Goodall; and we shall have occasion presently to inquire into this branch of the controversy. We proceed meanwhile with an examination of the remaining letters alleged to have been written by the queen before her husband's death.

The two preceding letters are both, as we have seen, stated to have been written from Glasgow. They are followed in the English edition of the 'Detection' by three others, also alleged to have been written by the Queen of Scots to Bothwell; but there is nothing contained in any of these which indicates with any degree of certainty the place where, or the time when, they were written.[1]

Of the first of these letters, and the third in the English edition of the 'Detection,' a French copy is still to be found in the Record Office, and of this the following is a certified copy:[2]

LETTER No. 3.

Monsieur si lenuy de vostre absence celuy de vostre oubli la crainte du dangier, tant promis d'un chacun a vostre tant ayme personne peuvent me consoller Je vous en lesse a juger veu le malheur que mon cruel sort et continuel malheur mavoient promis a la suite des infortunes et craintes tant recentes que passes de plus longue main les quelles vous scaves mais pour tout cela Je me vous accuserai ni de peu de souvenance ni de peu de soigne et moins encores de vostre

[1] There have been an infinite variety of conjectures upon the subject, but with these it is unnecessary to trouble the reader.

[2] State Papers (Mary Queen of Scots), 1568, vol. ii. No. 66. This letter has never been previously printed in the original French.

promesse violee ou de la froideur de vos lr̃es mestant Ja tant randue vostre que ce quil vous plaist mest agreable et sont mes penses tant volonterement, aux vostres a subjectes que je veulx presupposer que tout ce que vient de vous procede non par aulcune des causes de susdictes ains pour telles qui sont justes et raisounables et telles qui Je desir moyme qui est lordre que maves promis de prendre final pour la seurete et hounorable service du seul soubtien de ma vie pour qui seul Je la veus conserver et sens lequel Je ne desire que breve mort or est pour vous tesmoigner combien humblement sous voz commandemens Je me soubmets Je vous ay envoie en signe d'homage par paris lornement du cheif conducteur des aultres membres inferant que vous investant de sa despoille de luy qui est principal le rest ne peult que vous estre subject et avec ques le consentement du cueur a lieu du quel puis que le vous ay Ja lesse Je vous envoie un sepulcre de pierre dure poinct de noir seme de larmes et de ossements, la pierre Je la compare a mon cueur qui comme luy est talle en un seur tombeau ou receptacle de voz commandements et sur tout de vostre nom et memoire qui y sont enclos, comme mes cheveulx en la bague pour Jamais neu sortir que la mort ne vous permet fair trophee des mes os comme la bague en est remplie en signe que vous aves fayt entiere conqueste de moy, de mon cueur et jusque a vous en lesser les os pour memoir de vr̃e victoire et de mon agreable perte et volontiere pour estre mieux employe que je ne le merite. Lesmail demiron est noir qui signifie la fermete de celle que lenvoie les larmes sont sans nombre ausi sont les craintes de vous desplair les pleurs de vostre absence et le desplaiser de ne pouvoir estre en effect exterieur vostre comme je suys sans faintise de cueur et desprit et a bon droit quant mes merites seromt trop plus grands que de la plus perfayte que Jamais feut et telle que je desire estre et mettray poine en condition de contrefair pour dignement estre emploit soubs vostre domination resents la donc mon seul bien en aussi bonne part coñe avecques extreme Joie Jay fait vostre mariage qui jusques a celuy de nos corps en public ne sortira de mon sein, comme merque de tout ce que Jay ou espere ni desire de felicite en ce monde or craignant mon cueur de vous ennuyer autant a

lire que je me plaise descrir Je finiray apres vous avoir baise les mains daussi grande affection que je prie Dieu (O le seul soubtien de ma vie) vous la donner longue et heureuse et a moy vře bonne grace coñe le seul bien que je desire et a quoy je tends Jay dit a ce porteur ce que Jay apris sur lequel Je me remets sachant, le credit que luy donnes comme fait celle qui vous veult estre pour Jamais humblee et obeisante loyalle femme et seulle amye qui pour Jamais vous voir entierement le cueur le corps sans aucun changement comme a celuy que Je fait posseur du cueur du quel vous pouves tenir seur Jusques a la mort ne changera car mal ni bien ongue ne estrangera.[1]

Indorsed, "To prouf the affectioun, 2 French lře."

I certify that the foregoing is a true and authentic copy.

H. J. SHARPE,
Assistant-Keeper of Public Records.

March 3, 1869.

[1] The following is the translation of this letter in the English edition of the 'Detection:' "My lord, if the displeasure of your absence, of your forgetfulness, the fear of danger so promised by every one to your so loved person, may give me consolation, I leave it to you to judge, seeing the mishap that my cruel lot and continual misadventure has hitherto promised me following the misfortunes and fears as well of late as of a long time by-past, the which you do know. But for all that I will in no wise accuse you, neither of your little remembrance, neither of your little care, and least of all your promise broken, or of the coldness of your writing, since I am else so far made yours, that that which pleases you is acceptable to me, and my thoughts are so willingly subdued unto yours, that I suppose that all that cometh of you proceeds not of any of the causes aforesaid, but rather for such as be just and reasonable, and such as I desire myself. Which is the final order that you promised to take, for the surety and honourable service of the only supporter of my life. For which alone I will preserve the same, and without the which I desire not but suddain death. And to testifie unto you how lowly I submit me under your commandments. I have sent you in sign of homage by *Pareis* the ornament of the head, which is the chief guide of the other members. Inferring thereby, that by the seising of you in the possession of the spoil of that which is principal, the remnant cannot be but subject unto you, and with consenting of the heart. In place whereof since I have else left it unto you, I send unto you one sepulture of hard stone coloured with black, sawin with tears and bones. The stone I compare to my heart, that as it is

"If Mary's adversaries forged her letters," says Robertson, "they were certainly employed very idly when they produced this."[1] In this opinion every one will agree. The reader cannot fail to be struck with the total difference of tone between this letter and that of the two former. The Glasgow letters breathe only of lust and murder. The one before us is written, to all appearance, by a wife to her husband, in very modest and becoming language. She fears some danger threatens his person; she gently reproaches him with his

carved in one sure *sepulture* or harbour of your commandments, and above all of your name and memory, that are therein inclosed, *as is my heart* in this ring never to come forth, while death grant unto you to one trophie of victory of my bones, as the ring is filled, in sign you have made one full conquest of me, of mine heart, and unto that my bones are left unto you, in remembrance of your victory, and my acceptable love and willingness, for to be better bestowed than I merit. The ameling that is about is black, which siguifies the stedfastness of her that sendeth the same. The tears are without number, so are the fears to displease you, the tears for your absence, the disdain that I cannot be in outward effect yours, as I am without faintness of heart and spirit, and of good reason, though my merits were much greater than that of the most profit that ever was, and such as I desire to be, and shall take pains in conditions to imitate, for to be bestowed worthily under your regiment. My only wealth receive therefore in as good part the same, as I have received your marriage with extreme joy, that which shall not part forth of my bosome while that marriage of our bodies be made in publick, as sign of all that I either hope or desire of bliss in this world. Yet my heart, fearing to displease you, as much in the reading hereof, as it delights me in the writing, I will make an end, after that I have kissed your hand, with as great affection as I pray God (O the only supporter of my life) to give you long and blessed life, and to me your good favour, as the only good that I desire, and to the which I pretend. I have shewn unto this bearer that which I have learned, to whom I remit me, knowing the credit that you give him, as she doth, that will be for ever unto you an humble and obedient lawful wife, that for ever dedicates unto you her heart, her body, without any change as unto him that I have made possessor of my heart, of which you may hold you assured, that unto the death shall no ways be changed, for evil nor good shall never make me go from it."—Detection, English edition, 142.

[1] Vol. iii. 34.

forgetfulness, and with the coldness of his writing; she sends him a gift in testimony of her unchangeable affection—and it is worthy of notice that she sends it by Paris, who was said to have carried the most important of the letters—and she finally describes herself as his obedient lawful wife. Is this the language of a murderess? and were these simple and tender thoughts traced by the same hand which composed the Glasgow letters? We believe they were not. We believe that this is a genuine production of the Queen of Scots, but that it was addressed not to Bothwell, but to her husband, Darnley. Her allusions to the dangers which threaten him, her complaint of his neglect, and, above all, her reference to their marriage, all point to Darnley, and not to Bothwell, as the person to whom it was addressed.

No one has asserted that the Queen of Scots was ever privately married to Bothwell; but we now know that she was privately married to Darnley at Stirling[1] some months before she was publicly married to him in Edinburgh. In this letter she obviously alludes both to their private and their public marriage—to the one as a past, and to the other as a future, event. The inference is plain, that this letter was written in the interval between their private and their public marriage.

She speaks of the absence of her husband; but this could not possibly refer to Bothwell, for from the time that she married him until she was made a prisoner at Carberry Hill, which was exactly one month, we know that he never left her for a single day.

None of the letters produced at Westminster were

[1] *Ante*, chap. ii.

either signed, sealed, or addressed; and to mix up a few genuine productions of the queen with those intended to prove her guilty of the murder, was a device well worthy of the men who had usurped her crown, and afterwards sought to justify their treason by blasting her reputation.

The next letter contained in the English edition of the 'Detection' is entitled "Another letter to Bothwell, of her love to him."

We have this letter in Scotch, in Latin, and in French. Of these the French is obviously the original, and it is therefore subjoined in that language.[1]

LETTER No. 4.

J'aye veillé plus tard là-haut que j'en eusse fait, si ce n'eust esté pour tirer ce que ce porteur vous dira: que je trouve la plus belle commodité pour excuser vostre affaire, qui se pourroit presenter. J'ay promis, que je luy meneray demain cestuy-la. Vous aiez en soin, si la close vous semble commode. Maintenant j'ay violé l'accord; car vous aviez deffendu que je n'escrivisse, ou que je n'envoyasse, par devers vous; neantmoins je ne l'ay faict pour vous offenser. Et si vous scaviez en quell crainte je suis a present, vous n'auriez point tant de soupçons contraires en vostre esprit; lesquels toutesfois je supporte, et pren en bonne part, comme provenans de la chose que je desire le plus de toutes celles qui sont soubs le ciel, et que je poursuy avec extreme diligence, a scavoir, vostre amitié; dont tant de devoirs que je fay me rendent certaine et assurée. Quant a moy, je n'en desespereray jamais; et vous prie, que suivant vos promesses, vous me faciez entendre vostre affection: *autrement j'estimeray que cela se faict par mon malheureux destin, et par la faveur des astres envers celles, qui toutesfois n'ont une tierce partie de loyauté, et volonté que j'ay de vous obeïr; si elles, comme si j'estoye une second amye de Jason, malgré moy, occupent le premier lieu de faveur: ce que*

[1] From the text of Whitaker, ii. 235.

je ne dy, pour vous a comparer a cet homme en l'infelicite qu'il avoit, ny moy avec une femme toute esloignée de misericorde, comme estoit celle-la : combien que vous me contraignez estre en aucune partie semblable a elle, en toutes les choses qui vous concernent, ou qui vous peuvent garder et conserver a celle, a laquelle seule vous estes entierement de droict; car je vous puis m'attribuer comme mien, qui vous ay acquis seul loyaument, en vous aimant aussi uniquement, comme je fay, et feray tant que je vivray, me rendant assurée contre les travaux et dangers qui en pourront advenir. Et pour tous ces maux, desquels m'avez esté la cause, rendez moy ceste faveur, que vous ayez souvenance de lieu qui est prochain d'icy. Je ne demande pas que vous me teniez promesse demain; ains que nous nous assemblions, et que n'adjoustiez point de foy aux suspicions, sinon l'experience faicte. Je ne demande autre chose a Dieu fors qu'entendiez ce que j'ay en l'esprit, qui est vostre; et qu'il vous garentisse de tout mal, au moins pendant que je seray en vie; laquelle je ne tient point chere, sinon en tant que moy et elle vous sommes agreables. Je m'en vay coucher, et vous dy a Dieu. Faites moy certaine de bon matin de vostre portement; car je seray en peine jusques a ce que je l'entende. *Comme l'oyseau eschappé de la cage, ou la tourtre qui est sans compagne, ainsi je demeureray seule, pour pleurer vostre absence, quelque brieve qu'elle puisse estre.* Ceste lettre fera volontiers ce que je ne pourray faire moy-mesmes, si d'adventure, comme je crain, vous ne dormez desia. Je n'ay osé escrire en presence de Joseph, Sebastian, et Joachim, qui ne faisoient que de partir quand j'ay commencé a escrire ces choses.

The remark of Robertson respecting the previous letter appears to be almost as applicable to this. It refers to some matters which can now only be the subject of conjecture; and it contains nothing from which we can infer that the writer contemplated the commission of any crime. My own impression is, that it is a genuine letter of the queen, but that, like the former, it was addressed not to Bothwell, but to Darnley.

But it contains one or two passages which bear, or have been made to bear, a suspicious aspect. I have printed these in *italics;* and on comparing them with the Scotch version of this letter, they will be found to differ from the French, which clearly appears to be the original. In the passage respecting Jason, for example, "*celles*" in the French is rendered into "*her*" in the Scotch, in order to indicate Lady Bothwell, of whom, according to the long Glasgow letter, the queen was inordinately jealous. This would imply that Mary had been Bothwell's mistress before his marriage, and that she was now jealous of his wife, as Medea became jealous of Glauce; but no one, not even Buchanan, asserts that any intimacy subsisted between the queen and Bothwell before his marriage, so that the alleged reference to Lady Bothwell cannot be the true one. Darnley, we know, gave the queen abundant cause of jealousy; and assuming that this letter was addressed to him, we cannot but conclude that she here alludes, half in jest, half in earnest, to some Court scandal of the day. We need hardly add that Medea, the "unpitiful woman,"[1] to whom she obviously alludes, was not the second, but the first love of Jason. This is just such an oversight as we might expect from a female hand. It is not one that the alleged forgers of the letters, Maitland or Buchanan, were at all likely to have made.

[1] See the Scotch translation, Whitaker, ii. 262. The Latin translator of the letter, who may have been Buchanan, appears to have noticed the error, and attempted to correct it by omitting the words "comme si j'estoye"—thus, "ut ipsæ, velut secunda Jasonis amica, me invitâ," &c. But this does not mend the matter, for the writer still describes her as the woman "tam alienâ a misericordia."—Whitaker, ii. 262.

A more remarkable variation between the French and the Scotch of this letter remains to be noticed. The passage near the close marked in *italics* runs as follows: "Comme l'oyseau eschappé de la cage, ou la tourtre qui est sans compagne, ainsi je demeureray seule, pour pleurer vostre absence, quelque brieve qu'elle puisse estre." In the Scotch this passage is rendered thus: "*Mak gude watch.* Gif the burd eschaip out of the caige, or without hir mate, as the turtur I sall remane alone for to lament the absence, how schort yat sa ever it be."[1]

No one can doubt which of these passages is the orginal; and no one can doubt that the remarkable variation between the two has been made by design. Nothing, in short, can be more clear and simple than the French; nothing more clumsy and confused than the Scotch, the sense of which is made to differ entirely from the original. The words "mak gude watch" do not occur in the French at all. Why they have been introduced in the Scotch is abundantly clear. They entirely change the sense of the orginal by giving a criminal meaning to a sentiment as innocent as ever was expressed by woman. We need not, therefore, be surprised that this monstrous interpolation attracted the attention of Elizabeth's commissioners at York. "The queen wrote to Bothwell," they say, "especially to make good watch that the bird escape not out of the cage."[2] They only had the Scotch version of the letter before them, and that, they were solemnly assured, was written in the queen's own hand.

The next letter in the English 'Detection' is en-

[1] Whitaker, ii. 276. [2] Goodall, ii. 150.

titled "Another letter to Bothwell concerning the departure of Margaret Carwood, who was privy and a helper of all their love." A copy of it is still preserved in the Record Office in the original French as follows:[1]

LETTER No. 5.

Mon cœur helas! fault il que la follie d'une famme dont vous connoisses asses l'ingratitude vers moy soit cause de vous donner displesir veu que je neusse sceu y remedier sans le scavoir; et despuis que men suit apersue je ne vous lay peu dire pour scavoir comment je me gouvernerois car en cela ni autre chose je ne veux entreprandre de rien fayre sans en scavoir votre volontay, laquelle je vous suplie me fayre entandre car je la suivray toute ma vie plus volontiers que vous ne me la declareres, et si vous ne me mondes ce soir ce que volles que jen faisse je m en deferay au hazard de la fayre entreprandre ce qui pourroit, nuire a ce a quoy nous tandons tous deux, et quant elle sera mariee je vous suplie donnes men une ou jen prandray telles de quoy vous contanteres quant a leur conditions, mays de leur langue ou fidelité vers vous je ne vousen respondray. Je vous suplie qune opinion sur aultrui ne nuise en votre endroit a ma constance. Soupsonnes moi mays quant je vous en veulx rendre hors de doubte et mesclersir ne le refuses ma chere vie et permettes que je vous face preuve par mon obeissance de ma fidelité et constance et subjection volontaire, que je prands pour la plus agreable bien que je scaurois rescevoir si vous le voulles accepter, et nen faytes la ceremonie car vous ne me scauries davantage outrasger ou donner mortel ennuy.[2]

[1] Also printed by Laing, ii. 342.

[2] Record Office, Scotland, December 1568. The following is the translation of this letter in Buchanan's 'Detection,' p. 144:—

"My heart, alas, must the folly of a woman, whose unthankfulness toward me you do sufficiently know, be occasion of displeasure unto you? considering that I could not have remedied thereunto without knowing it? And since that I perceive it, I could not tell it you, for

Laing asserts[1] that the copy of this letter now in the Record Office is in the original French, and he is probably right; but beyond the slanderous title prefixed to it in the 'Detection,' it contains nothing to show either that it was addressed to Bothwell or that it referred to Margaret Carwood. Laing[2] informs us that that person, who was one of the queen's attendants, was married to Bastian Paiges, another of her servants, on the night preceding Darnley's murder; but this is a mistake. Bastian was indeed married on that night, but to another person.[3] Margaret Carwood, who had accompanied the queen in her perilous flight to Dunbar after Riccio's murder, was not married until after the death of Darnley; and in recognition of her faithful service the queen settled upon her a small pension. Laing insinuates that this was intended to purchase the silence of her confidante; and if it had been an unwonted act of liberality on the

that I knew not how to govern my self therein. For neither in that, nor in any other thing, will I take upon me to do any thing without knowledge of your will: Which I beseech you let me understand; for I will follow it all my life, more willingly than you shall declare it to me. And if you do not send me word this night what you will that I shall do, I will rid myself of it, and hazard to cause it to be enterprised and taken in hand, which might be hurtful unto that whereunto both we do tend. And when she shall be married, I beseech you give me one, or else I will take such as shall content you, for their conditions, but as for their tongues or faithfulness towards you, I will not answer. I beseech you, that an opinion of another person be not hurtful in your mind to my constancy. Mistrust me, but then I will put you out of doubt and clear my self. Refuse it not, my dear life, and suffer me to make you some proof by my obedience, my faithfulness, constancy, and voluntary subjection, which I take for the pleasantest good that I might receive, if you will accept it, and make no ceremony at it, for you could do me no greater outrage, nor give more mortal grief."

[1] See vol. ii. Appendix. [2] Vol. i. 304.

[3] See Inventory, &c., by Mr Joseph Robertson, Preface.

part of Mary, there might be some ground for the imputation; but it is well known that she was at all times generous beyond her means to every one who had claims upon her bounty; and the fact that she thus publicly acknowledged the services of Margaret Carwood seems to refute the notion that she could be the person whose misconduct is the subject of this letter; and which, like the two former, appears to have been addressed, not to Bothwell, but to Darnley.

The internal proofs of this are very strong. The queen is vexed at the misconduct of one of her women, and still more so at the displeasure of her correspondent, whoever that might be. But can we suppose that a profligate like Bothwell would give himself a moment's thought about the misconduct of a waiting-woman? And can we suppose that the queen would have applied to him to find her another in her place? Such an application could only have been addressed to her husband. And is anything more probable than that the silly meddling Darnley should have mixed himself up in an affair like this, and caused annoyance to every one by his interference? A recent able writer[1] justly observes that there is a touch of quiet humour in the queen's remark, "as for their tongues or their faithfulness toward you I will not answer," words which might be addressed most appropriately to her wayward husband.

There is only one passage in this letter to which it is possible to attach a criminal interpretation. It occurs in the middle, and it appears to have no connection either with what precedes or what follows it. In the

[2] Mary Stuart, her Guilt or Innocence, by A. M. Caird.

English edition of the 'Detection' it is rendered as follows: "And if you do not send me word this night what you will that I shall do, I will rid myself of it, and hazard to cause it to be enterprised and taken in hand, which might be hurtful unto that whereunto both of us do tend." What is meant by this obscure sentence it is impossible to say. It is the only unintelligible portion of the letter, and if it were struck out the sense of the remainder would be clear and consistent; but, unfortunately, we have not the original letter of the queen. It is only a copy which is preserved in the Record Office, and it is a copy furnished by her enemies. If we had the original, we might possibly find that this mysterious sentence, like the manifest interpolation in the preceding letter, had been introduced by the same unscrupulous hands.

We have now laid before the reader all the letters alleged to have been written by Queen Mary to Bothwell before the murder of her husband. We have stated our belief that the first two are forgeries, and that the three last are genuine letters addressed to Darnley, although they may have been in parts interpolated by her enemies. Of the different versions which exist of the first two letters the Scotch is indisputably the original. It appears no less clearly that of the last three, which we believe to be genuine letters of the queen, the originals are in French. These circumstances are so material to this inquiry that we are here induced to anticipate our narrative by glancing at the subsequent history of these famous letters.

Three of them were first produced at York in Scotch in October 1568. In December of the same year the

same letters were produced at Westminster in French, with the addition of five others, which were also in French, making eight in all. None of these letters appeared in print for three years afterwards—namely, until November 1571—when they were published in London in Latin, appended to the 'Detection' of Buchanan. In the following year a French edition of that work appeared, which bore on its title-page the name of an Edinburgh printer; but it is admitted that no such person existed: and it is maintained by the elder Tytler that the book was printed in London under the auspices of Cecil; while Laing contends, with greater probability, that it was printed at Rochelle. The point is not of material interest; but it is necessary to observe that the translator of this French edition, who seems to have been a Huguenot, and a determined enemy of the Queen of Scots, states expressly that her letters were written "some in French and some in Scotch." In his preface he says, "Au reste les epitres mises sur la fin, avoient ete escrites par la royne, *partie en Francois, partie en Escossois*, et depuis traduictes entierement en Latin, mais n'ayent connoissance de la langue Escossois, j'ay mieux aimé exprimer tout ce que j'ay trouvé en Latin," &c.[1] Laing has attempted to explain these expressions of the French translator as follows. He says that when he speaks of "les epitres mises sur la fin," he includes the sonnets[2] as well as the letters,

[1] Quoted by Laing, i. 260.

[2] In addition to the letters certain sonnets were produced at Westminster, alleged to have been sent by the queen to Bothwell.—See Appendix F.

and that he means that the former were written in French and the latter in Scotch; but this explanation is contradicted in the very passage which Laing quotes to prove it. The epistles of which the French translator speaks as having been written by the queen "partie en Francois, partie en Escossois," were afterwards "*traduictes entierement en Latin.*" Now, as the sonnets never were at any time translated into Latin, the expression "epitres mises sur la fin" could only apply to the letters, which had, we know, been previously translated into that language.

The testimony of this contemporary writer, who asserts that the letters were originally written "some in French and some in Scotch," is therefore of the utmost importance. Although an avowed enemy of the Queen of Scots, and engaged in the work of her enemies, he here unwittingly contradicts them upon a most essential point. And the testimony of this anonymous translator confirms our belief, that of these letters some were written in Scotch and some French, and that the former were forged and the latter genuine.

Goodall proved so conclusively, more than a century ago, that of the different versions of the two Glasgow letters which now exist the Scotch is the original, that the point has never since been disputed; but the reply of Laing has already been stated. He says that Goodall could not prove that the French version of the letters which we now possess was that produced at Westminster, and that unless he could prove that he proved nothing. We know that Murray only exhibited the alleged originals, and left only copies in

the hands of Cecil. These so-called copies, Laing asserts, were in reality Scotch *translations*[1] of the queen's letters. These Scotch versions were afterwards translated into Latin, and from the Latin once more turned into French. Hence the ludicrous blunders which they contain, and which Goodall so successfully detected and exposed.

Laing's argument assumes, therefore, as a fundamental point, that no French copies of the letters were left with Cecil after the Westminster conferences; but the language of Cecil himself leads us to a different conclusion. The journal of the proceedings at Westminster, corrected in many places with his own hand, states that on the 8th of December 1568, the Regent Murray and his colleagues produced various writings, alleged by them to have been written by their queen; which writings "being copied, were read in French, and a due collation made thereof, as near as could be, by reading and inspection, and made to accord with the originals, which the said Earl of Murray required to be redelivered, and did thereupon deliver the copies, being collationed, the tenor of all which seven writings hereafter follow in order, the first being in manner of a sonnet, 'O Dieux, ayez de

[1] "The copies," says Laing, "which Murray delivered, were the Scotch translations afterwards published."—Vol. i. 220. But how could Laing possibly know this? Various of the papers produced by Murray are still preserved in the Cotton Library and in the Record Office; and if the eight letters—for eight were produced in all—had been left with Cecil in Scotch, some of them at least would in all probability have still remained. As it is, we still find four out of the eight letters in the Record Office, and of these two are contemporary translations in English, and two are contemporary copies in French. Against this evidence are we to take the bare assertion of Laing, that Murray left only Scotch copies of the letters in the hands of Cecil?

moi,'" &c. There is nothing here to confirm the assertion of Laing that Murray left translations instead of copies.[1] The contrary is not only distinctly stated, but a portion of the first line of the first of the sonnets is actually given in French in Cecil's own handwriting, and it is identical with that which we now possess.

On the 13th of the same month we find another entry in the journal to the same effect. "There were produced," it says, "sundry letters *written in French.*" The journal adds, "Of which letters the *originals*, supposed to be written with the Queen of Scots' own hand, were then also presently produced and perused." Here we have it distinctly stated that both copies and originals were in French. There is not a word as to translations in Scotch or in any other language.

The assumption, therefore, that Murray left with Cecil, not French copies, but Scotch translations, of the letters, is contradicted by Cecil himself. It is contradicted also by Murray in a paper drawn up by him on the 15th of October 1569, in which he says that "copies" of the letters "were delivered to Mr Secretary, in whose hands they remain;" whereas in a letter written some time before, he had spoken of translations, thus clearly distinguishing between the two.[2] It is contradicted, lastly, by the collection in the Record Office, in which no Scotch translations

[1] Laing says that "being copied implies that the letters were already copied, not that they were copied then on the spot; being copied, they were read in French, *that the copies themselves were in a different language.*" But of this fact, upon which his whole argument depends, he offers no proof whatever.—Laing, i. 166.

[2] In a letter to Queen Elizabeth, dated the 8th June 1568, Murray speaks of Queen Mary's letters as being "translated in our language."—Goodall, ii. 75.

of the queen's letters are now to be found, but in which may still be seen the two copies in French of the letters produced at Westminster, which have already been laid before the reader.

Buchanan's 'Detection,' in which these letters first appeared in print, was published under the auspices of Cecil in 1571; and if the secretary had had in his possession genuine copies of genuine French letters, we cannot suppose that he would have allowed to be appended to the libel of Buchanan the blundering translations from the Latin and the Scotch which for a couple of centuries passed for the true productions of Mary Stewart. Even if we admit the truth of Laing's assertion, that translations only of the queen's letters were left in London, Cecil, at the time of the publication of the 'Detection,' might readily have obtained from his Scottish allies genuine copies of the Glasgow letters. The fact that no such copies were obtained at that or at any other time clearly justifies the suspicion that no French originals of these letters ever existed.

Before concluding this chapter, we cannot but refer to a point which is placed in a most prominent light in these letters—namely, the violent attachment expressed by the writer to her correspondent.

If we were told that a woman, twenty-four years old, had all at once become violently enamoured of a man whom she had known from her childhood, we should think the incident a most remarkable one. We know that in fiction, as well as in real life, attachments of this kind usually spring up in a different way. It is not between old, but between new acquaintances,

that that phenomenon, which Lord Bacon philosophically calls "the mad degree of love," is wont to exhibit itself. It may perhaps be suggested that Mary was all along secretly attached to Bothwell; but of this we have not the smallest proof. Bothwell was a member of her Council from the time that she arrived in Scotland in 1561 until he fled to France in 1563, when both were single, yet we hear not a whisper of this attachment. On the contrary, we learn from an impartial source that, instead of regarding him with favour at this period of his career, she entertained, for very sufficient reasons, a decided prejudice against him.[1] That he afterwards acquired her confidence is not to be disputed. The fidelity and zeal which he displayed after Riccio's murder naturally increased his influence; and we need not be surprised that, looking back at his unwavering loyalty to her mother and herself, and contrasting his conduct with that of his brother nobles, the queen was eventually induced to regard him as one of the chief supports of her authority. That he was hated upon this account, and that plots were laid for his destruction, we learn from the Earl of Bedford; but it is to the political ascendancy of Bothwell that the English ambassador refers. He says nothing, and he hints nothing, as to any personal preference of the queen for her powerful subject. The only incident to which her enemies

[1] On the 22d January 1563, Randolph calls Bothwell "a blasphemous and irreverent speaker both of his own sovereign and the queen my mistress."—Record Office. And on the 15th of March 1565, he informs Cecil that the Queen of Scots is averse to Bothwell's return because he had "spoken dishonourably" of her (Keith, ii. 266); yet in little more than a twelvemonth afterwards her enemies represent her as being madly enamoured with him.

can point in proof of such is her visit to Hermitage Castle, the circumstances attending which Buchanan has so outrageously misrepresented to serve the purpose of his patrons.[1]

[1] An argument of Hume respecting the letters is deserving of notice. He maintains that because the Scotch version of them contains various French words and phrases they must have been translated from a French original.—Chap. 39, note. This is an argument which, if Hume had been in the habit of consulting contemporary Scotch documents, he could hardly have used, for these abound, generally speaking, in French expressions. Let us take a few examples from the 'Historie of James the Sext,' an undoubted contemporary work: "the *faulxbourg* of the town," "the lords *sortit* from Edinburg," "great *instance* and *travell*," "they" (*i.e.*, Bell and Calder), "were broken on the *roou*, and thus *punit* to the death," "their horsemen *sortit apprehendit* the same," "his *enorme lessioun*," "*empeshe* all kinds of meat," "the *novallis* of their proceedings," &c. &c. Hume even falls into the error of quoting the phrase, "mak gude watch," which occurs in the Scotch version of letter No. 4, as being French. We have already shown that in the French version of the letter, which is clearly the original, this expression does not occur at all, and that it has been inserted for a very obvious purpose in the Scotch version. —*Ante*, 229.

CHAPTER VI.

THE MURDER OF DARNLEY.

THE queen left Glasgow, accompanied by her husband, on Monday the 27th, and they arrived in Edinburgh on the 30th of January.[1] A house had been fitted up for his reception in the southern suburbs of the town, just outside the walls. The situation was high and healthy as compared with that of Holyrood, which was distant about three-quarters of a mile. According to the deposition of Paris, it was Maitland who fixed upon the locality; and we know that the house belonged to Robert Balfour, a brother of the man who, after the conferences at Craigmillar, had prepared the bond for the king's murder.

The house was small, consisting only of two storeys, with cellars underneath. The upper part was occupied by the king. Immediately below his sleeping-room a bed was fitted up for the queen, and she passed at least two nights at the Kirk-of-Field during Darnley's brief residence at this fatal spot. To all appearance the reconciliation between the royal pair was now complete. This is not disputed by the queen's ene-

[1] The dates here given are those set forth by the queen's accusers at Westminster.—See Journal, Appendix D.

mies, who assert, however, that she was only playing out the perfidious game which she had commenced at Glasgow.

Within a week after Darnley's arrival an incident occurred which probably induced the conspirators to accelerate their movements. The king, who was now steadily regaining strength, was warned by Lord Robert Stewart[1] that a plot had been formed against his life, and he advised him to quit the Kirk-of-Field without delay. Darnley forthwith told the queen, who sent for her brother the Lord Robert, and questioned him on the subject in the presence of her husband. To the amazement of Darnley, Lord Robert denied that he had ever spoken to him upon the matter. Darnley, in his rage, gave him the lie, and both young men seizing their weapons, the queen in alarm called upon Murray, who happened to be at hand, to help her to preserve the peace. The conduct of the queen upon this occasion, so perfectly natural in every way, has subjected her, nevertheless, to the most odious imputations. Buchanan does not hesitate to assert that her real object was to incite a quarrel between her husband and her brother, "making account that it should be gain to her whichever of them both perished;" and after she had accomplished her purpose of setting them by the ears, he adds, with intense absurdity, that she called on Murray to separate them in order that they might kill him.[2] Laing, who

[1] A half-brother of the queen, and lay abbot of Holyrood.

[2] Detection, 19. Very similar in character is a charge which he makes against the queen some time before the birth of the prince. He says she instigated her husband to seduce her brother's wife, the Countess of Murray, in order not only that she might be revenged upon three persons all at once whom she hated, but that she might

could not fail to perceive the gross inconsistency of these accusations, adopts, or rather insinuates, the first, while he rejects the last.[1] But the queen's behaviour was clearly more consistent with innocence than guilt. If instead of inquiring into the matter on the spot, she had striven to calm her husband's apprehensions, and to persuade him that they were groundless, by throwing discredit on her brother, such conduct might well have given rise to suspicion. But we cannot believe that, if she had been a party to the plot against her husband, she would at this critical time have run the risk of confronting him with her brother, who evidently knew something of the conspiracy. Conscious guilt must instinctively have shrunk from so obvious a danger of exposure.

Two days after this incident—namely, on Sunday the 9th of February—Murray left Edinburgh for St Andrews, alleging to the queen, who had earnestly requested him to remain, the illness of his wife as the cause of his departure. His retirement on the very day on which it had been determined to assassinate the king is further confirmatory of Maitland's statement made in Murray's presence at Craigmillar, that he would look through his fingers at any attempt that might be made to get rid of Darnley. But we cannot

obtain a divorce from Darnley on account of the adultery. The atrocity of this accusation is surpassed by its absurdity. Buchanan, who had lived much in Catholic countries, knew, or ought to have known, that among Catholics adultery was no ground of divorce. The Council of Trent, several years before, had definitely settled the question by the famous canon commencing "Si quis dixerit ecclesiam errare," &c., and declaring marriage to be indissoluble. This canon was promulgated on the 14th November 1563, some time before the marriage of Darnley.—Pothier, iii. 365, art. "Divorce."

[1] Laing, i. 34.

give credit to the assertion of Leslie, that while on his journey to St Andrews the future regent said to his servant, "This night ere morning the Lord Darnley shall lose his life."[1] To have betrayed his knowledge of the plot at such a time was entirely inconsistent with the reserved and wary nature of the man.

On the evening of this day the queen had promised to be present at a masked ball at Holyrood, to be given in honour of the marriage of two of her servants, Sebastian Paiges and Christina Hogg. Both the enemies and the advocates of the queen assert that this night was fixed for the murder, as it was known that she would sleep at Holyrood, and that there would be no one at the Kirk-of-Field except Darnley and his attendants.

The queen visited her husband as usual upon the evening preceding the murder, accompanied by Huntly and Bothwell, and remained at the Kirk-of-Field until it was time to attend the mask. They then separated for the night, apparently on the most cordial terms,[2] and the queen returned to Holyrood.

Meanwhile, according to the depositions or confessions of five persons, four of whom were afterwards executed for the murder, a quantity of gunpowder was placed in the queen's chamber, which we have stated was immediately below that of the king Three of these men were servants of Bothwell — namely, George Dalgleish, William Powrie, and Patrick Wilson. The two others were his kinsman and namesake, John Hepburn of Bolton, and John Hay, younger of Tálla, one of his Border retainers. According to these

[1] Leslie, 75. In Anderson's Collections.
[2] See the deposition of Nelson; State Trials, i. 929.

depositions, Dalgleish and Powrie brought the powder from Bothwell's apartments at Holyrood; and after it had been emptied in a heap in the queen's chamber, to which they gained access by false keys, a match a few inches long was lit by Hepburn and Hay, and laid on the floor so as to communicate with the powder. It was past two in the morning before their preparations were completed; and hastening from the spot after the match was lighted, they waited, in company with Bothwell, who joined them at the town wall, until the explosion took place. They all then made the best of their way, but by different routes, to Holyrood.[1]

All these depositions were attested by the Justice-Clerk Bellenden; and Laing asserts "that nothing can be better authenticated."[2] But when we consider that they were all made before a secret tribunal, and probably all extorted by torture, the language of this very confident historian appears to be unwarrantably strong. The attestation of the justice-clerk proves nothing, as the depositions were taken not before him, but before the Lords of the Secret Council"[3]—namely, Morton, Huntly, Argyll, Maitland, and Balfour—who were all more or less implicated in the king's murder, and who were not likely therefore to produce any evidence against themselves. Laing himself admits, on the authority of a letter of Robert Melvill, that Hay, when he was first arrested in September 1567, accused Huntly as well as Bothwell of the murder. The Earl of Bedford, in a letter to Cecil, throws still further light upon the subject. "Hay of Talla," he says,

[1] See the depositions in Howell's State Trials, i.

[2] Vol. ii. 10.

[3] State Trials, *ubi supra*.

"opened the whole device of the murder, declaring who were the executioners of the same, and went so far as *to touch a great many not of the smallest.*" [1] All these charges, however, are suppressed; for in the deposition of Hay no person of note is directly accused except Bothwell, and on this point all the other depositions agree. The depositions and confessions of Hay and his accomplices further agree in stating that only nine persons were at the Kirk-of-Field on the occasion of the murder.

But we have the testimony of Murray [2] himself that there were between thirty and forty persons concerned in the crime. Sir William Drury further [3] states that Ker of Faudonside, the unpardoned rebel, who had an outstanding score against Darnley, which, according to the usage of the age, could only be washed out with blood, was seen on horseback with several followers close to the Kirk-of-Field at the time of the explosion. He had crossed the Tweed at the risk of his liberty and life expressly to see the work of vengeance done, and no doubt to render aid, if aid were needed; and he must have ridden hard to reach Northumberland again before the dawn. This incident, upon which Drury, who was himself at Berwick, was not likely to be misinformed, illustrates at once the ruthless manners of the age, and it shows that the knowledge of the intended murder was not confined to the conspirators in Edinburgh.

Some other circumstances in the depositions require notice. According to Hay and Hepburn, the placing

[1] Bedford to Cecil, 5th September 1567; Record Office.
[2] Letter of De Silva; Froude, ix. 37.
[3] Letter to Cecil, 24th April; Record Office.

of the powder was a work of some difficulty They first attempted to bring it into the house in a barrel; but the back door by which they entered was too small, and they were obliged to carry it in bags into the queen's chamber, where they emptied it in a heap on the floor.[1] According to the same witnesses, the queen, along with her attendants, was with her husband in the room immediately above while all these preparations were going on. There were, besides, residing in the house, six or seven of Darnley's servants, some of whom occupied the lower part of the house, adjoining the queen's apartment; and how all these operations could be completed in so small a building without disturbing the inmates is one of the mysteries of the Kirk-of-Field still unexplained.

But the chief objection to the truth of the depositions of Hay and Hepburn is their account of the mode in which the house was destroyed. By asserting that the whole of the powder was placed in the queen's apartment, an attempt was obviously made to implicate her in the murder. But if the powder had been placed in her room, consequences must have ensued very different from those which actually took place. The whole of the upper part of the house must undoubtedly have been destroyed, and the lower part must have been shaken to its base. But we learn from a variety of sources that the very foundation-stones, of great size and weight, were blown into the air. This could not possibly have happened if the powder had been placed above these stones—that is, in the queen's apartment. The powder necessarily must have been placed below them to produce such results.

[1] "Evin directly under the kingis bed."—Deposition of Hepburn.

Upon this point there is a singular concurrence of contemporary authority. A French envoy named Clernault, who was in Edinburgh at the time, says the house must have been blown up by a mine.[1] Sir James Melvill[2] and the 'Diurnal of Occurrents'[3] tell the same story. In the indictment against the Earl of Morton, who was afterwards tried and convicted of the murder, it is stated that the gunpowder had been placed by him and his accomplices "under the ground and angular stones, and within the vaults," &c., of the house. Lastly, Buchanan himself says in his 'Detection' that the murderers had kept the key of the lower room, "where they had undermined the wall and filled the holes with gunpowder."[4] This is the more remarkable, as the depositions of Hay and Hepburn first appeared in print appended to his 'Detection,' and he thus contradicts them on a point material to the reputation of the queen.

The depositions to which we have referred were all taken in the summer or the autumn of 1567, when the Queen of Scots was a prisoner in Lochleven, and Bothwell was a pirate on the North Sea. At that time the confederate lords, who had usurped the government, had no interest in accusing any one else of the murder of Darnley. The queen and her alleged paramour, with their subordinates, were, not only according to these depositions, but according to the public declarations, put forward at the time as the only guilty parties; but as time passed, and circumstances changed, we find

[1] Quoted in Von Raumer, 96. [2] Memoirs, 78.

[3] Printed by the Bannatyne Club. This interesting journal, which is generally accurate as to facts, was, according to its editor, the late Thomas Thomson, "evidently written by a contemporary observer residing in Edinburgh."—See the Preface. [4] P. 69.

other distinguished persons accused of the murder. In the autumn of 1569 the Queen of Scots was no longer at Lochleven. She was still, indeed, a prisoner, but in England; and the most powerful of the English nobility, with the view of settling the question of the succession, had strongly approved of her marriage with the Duke of Norfolk. In Scotland, Maitland, who had once more, and for the last time, changed sides, supported the proposal with all his might; but it was strenuously opposed by the dominant faction, of which Murray was the chief. It was just at this critical time that Maitland was accused by the confederates, his former associates, of the murder of Darnley.

In support of the accusation, the depositions of Paris, to which we have already referred, were produced. We may add that these depositions also contain matter implicating Huntly, Argyll, and Sir James Balfour,[1] who had all by this time left the side of the confederates, and were acting as the chiefs of the queen's party in Scotland.

But the depositions of Paris are chiefly remarkable for the accusations which they contain against the queen herself. He is the only witness who, according to her enemies, directly charged her with adultery and murder. His testimony, therefore, demands special attention.

This man, as we have already stated, was not produced at Westminster. But according to a letter of Murray to Queen Elizabeth, Paris arrived in Leith about the middle of June 1569—a few months after the conferences had closed. By the same letter it appears that the Queen of England had requested that he should

[1] See the depositions of Paris.

not be immediately put to death. Murray informs her, however, that, some seven or eight days before the receipt of her letter, Paris had been executed; but he trusts his testimony left "shall be found so authentic as the credit thereof shall not seem doubtful."[1]

We have strong grounds for believing that in this letter Murray did not give the true date of the arrival of Paris in Scotland, and that the truth was concealed from Elizabeth and her ministers for a very obvious reason. If Paris had been in Britain at the time of the Westminster conferences, he ought certainly to have been examined; for we know that two witnesses far less important—namely, Crawford and Nelson—were produced. It was necessary, therefore, to account for the absence of Paris; and Murray's letter, if true, sufficiently explained the cause.

But from the subjoined paper, for which I am indebted to Professor Schiern of Copenhagen, it appears that Paris was delivered up to Captain Clark, an emissary of Murray, the then Regent of Scotland, on the 30th of October 1568. As the conferences at Westminster lasted until the middle of December of that year, there was ample time to have sent him to London to be examined if the regent had so desired.

Are we, then, to believe that, after Paris had been given up, Clark remained all winter with his prisoner in Denmark? and if not, what credit are we to give to Murray's letter? This is the first, and not the least, suspicious circumstance which attaches to the depositions of Paris.[2]

[1] See the letter; Laing, ii. 269.

[2] "'Ego Johannes Klarck Scoticorum cohortium supremus Capitaneus, profiteor hoc meo chirographo accepisse me a Nobili ac præstanti Domino D. Petro Oxe de Gislefeldt, Regni Daniæ Magistro Curiæ, duos

We have two depositions of this person—the first apparently a voluntary one, the second made in reply to interrogatories—and both taken at St Andrews on the 9th and 10th of August 1569. We have no record of his trial beyond the fact that Murray states in the above-mentioned letter that he "suffered death by order of law" on the 16th of that month. We are not informed by whom he was interrogated, nor by what court he was condemned. We are not informed why he was sent away from Edinburgh, where it was usual to bring political offenders to trial, and where all the other murderers of Darnley, without exception, had been tried and executed. The removal of so important a prisoner from the ordinary seat of judicature, and the absence of all judicial proceedings respecting him, are the next circumstances of suspicion which attach to the depositions of Paris.

The first of these does not implicate the queen. It represents Bothwell as acquainting Paris with the project of the murder a few days before it was perpetrated. Paris says he is horror-struck; and he attempts to

viros, utpote Vilhelmum Murranum et Paridem Gallum, qui dicuntur proditores necnon interfectores Sereniss: Regis Scotorum piiss: memoriæ Henrici, etc., quos præfatos me obligo sisturum coram judices Regni Scotici, ibi examinandos ac puniendos, si sontes reique fuerint, liberosque pronuntiatos demissurum, hac tamen lege, ut eis concedetur [*sic*] tempus unius mensis, amicos ac propinquos suos sollicitandos [*sic*], si quos habuerint, qui eos de crimine, quo sunt inusti, purgare possint aut velint. Hæc ita firma atque vera esse, sigillo meo proprio atque nativo muniendum volui. Datum Roschildiæ, 30 Octobris, Ao. 1568.'

"This letter was found by me in the Danish archives. Roskilde, where it was written the 30th October 1568, is, as you know, an ancient city in Zealand.—Believe me, your most obedient,

"FREDERIK SCHIERN,

"*Professor of History at the University of Copenhagen.*

"*February* 16, 1869."

It thus appears that Paris was delivered up nearly a twelvemonth before his so-called depositions were produced.

dissuade the earl from engaging in so dangerous an enterprise. Bothwell, instead of listening to him, bullies and blasphemes, and threatens him with certain death if he reveals his secret or disobeys his orders. He then tells Paris that many of the chief nobility are in the plot, upon which the Frenchman ventures to ask if the Earl of Murray is among the number. "The Earl of Murray, the Earl of Murray," said Bothwell, hastily, "will neither help nor hinder us; but it is all one."[1] Paris further says, that when he heard, on the morning before the murder, that Murray was about to leave Edinburgh, he immediately concluded that that prudent nobleman had resolved to be out of the way during the perpetration of the crime. It is by way of compliment that Paris introduces this remark; for he eulogises Murray's character and conduct in the most extravagant manner throughout. But the observation is worthy of note, as showing the general belief which prevailed as to Murray's foreknowledge of the murder.

There is only one circumstance related in the first deposition which in any way affects the queen. Paris says that on the Saturday before the murder he was told by Margaret Carwood to fetch away from the Kirk-of-Field the coverlet of the queen's bed.[2] Her enemies assume, therefore, that it was a valuable one, and that she wished to preserve it. The incident, whether true or false, is really too trifling for discus-

[1] "Monsieur de Morra, Monsieur de Morra, il ne veult n'ayder ne nuyre; mais c'est tout ung."—First Deposition of Paris.

[2] Paris does not say whether it was valuable or not. Laing says it "was probably valuable" (vol. ii. 36). Mignet, more positive, says it was "une riche couverture q'elle ne vouloit *sans doute* pas y laisser à veille de l'explosion" (tome i. 215)—an excellent example of the progress of calumny.

sion, and would not require notice but for the analogous story of the removal of Darnley's bed, to which we shall have occasion presently to refer. We proceed meanwhile to the second deposition of Paris.

The first sentence is sufficiently startling: "Interrogue quant premierement il entra en credit vers la royne. Responce que ce fust comme la royne estoyt à Callendar allant à Glasco, qu'alors elle luy bailla une bourse la ou il avoit environ trois ou quatre cens ecus, pour la porter à Monsieur de Boduel," &c. According to this statement, when the queen was at Callendar House, on her journey to Glasgow to visit her husband, she gave to Paris a purse of money to deliver to Bothwell, who at the time was living under the same roof. Why she could not have given the money to Bothwell himself Paris does not explain, nor can any reason be suggested why she should have thus so unnecessarily committed herself to a man who on that very day apparently entered her service.

Bothwell having escorted the queen to the bounds of his sheriffdom, returned to Edinburgh; and Paris, according to his deposition, accompanied the queen to Glasgow. After remaining for "two days there," he says the queen sent him with a letter to Bothwell in Edinburgh; but we have already shown that Paris is contradicted upon this point by the journal produced by the queen's accusers at Westminister, according to which Bothwell was at this time in Liddesdale.[1]

Paris says that before setting out with the letter the

[1] *Ante*, p. 212. Paris is also contradicted by Mr Froude, for, instead of allowing him to remain two days in Glasgow, he sends him off with the queen's long letter to Bothwell immediately after his arrival. Yet Mr Froude treats the Frenchman's so-called deposition as absolutely authentic.—Vol. viii. 353.

queen told him to say to Bothwell, "Que le roy la voulloyt baiser, mais elle ne pas voullu de peur de sa malladye." Paris further says that Bothwell told him that every night, while the queen was at Holyrood, "Lady Reres iroit bien tard le querir pour l'amener à la chambre de la royne."

Monstrous though these passages are, the second deposition of Paris contains passages more monstrous still. Previous to the murder, he says he went to the queen to ask for the keys of her chamber at the Kirk-of-Field, and in the following words: "Madame, Monsieur de Boduel m'a commandé de luy porter les clefs de vostre chambre; et qu'il a envie d'y faire quelque chose, c'est de faire sauter le roy en l'air par pouldre." If we believe all this, and, in particular, that a menial servant should venture to ask his mistress for the keys of her bedchamber because Bothwell wanted to blow up her husband with gunpowder, it is impossible to entertain a doubt of the queen's guilt.

For this reason the authenticity of the depositions of Paris has been strenuously maintained by the queen's enemies. "It is in vain," says Hume, in the first edition of his History, "at present to seek improbabilities in Nicolas Hubert's dying confession, and to magnify the smallest difficulty into a contradiction. It was certainly a regular judicial paper, given in regularly and judicially, and ought to have been canvassed at the time if the persons whom it concerned had been assured of their own innocence."[1]

We have here a notable example of the extraordinary carelessness of that eminent historian. The short

[1] Hume's History, ii. 500, first edition.

sentence we have last cited contains no fewer than three distinct and palpable mistakes. In the first place, the paper containing the depositions of Paris was authenticated by no judicial authority. Secondly, it was not given in regularly and judicially, for it was secretly sent up to London in October 1569, many months after the termination of the Westminster conferences. Lastly, it was impossible that it could have been canvassed at the time by those whom it concerned, for it was not only kept a profound secret from the queen and her friends during her life, but it was not made public for nearly a century and a half after her death. The depositions of Paris were first given to the world in the Collections of Anderson in 1725.

Laing is not more successful in his attempt to maintain the credit of Paris. The fallacy of his argument as to the chronology of the Glasgow letters has already been exposed. "But the chief objection," says Laing, "that no mention is made before whom the examination was taken, is removed by the attestation of the clerk of Council."[1] Laing adds that Hay, who attended the regent officially, "was *undoubtedly* employed to interrogate Paris on the circumstances concealed in his first declaration." But, notwithstanding Laing's confident assertion, we have unquestionable proof, not only that Hay was not present on the occasion referred to, but that he has furnished us with a

[1] Laing, ii. 46.—The following is the attestation of the copy of the depositions of Paris in the Cotton Library: "This is the trew copy of the declaration and deposition of the said Nicholas Howbert als Paris, quhairof the principall is markit every leif with his awin hand; and the same being red againe in his presence, he avowit the same, and all partes and clauses thereof, to be undoubtedlie trew."—Ita est Alexander Hay, scriba Secreti Consilii, S. D. N. Regis ac Notarius-Publicus.

falsified version of the so-called deposition of Paris, by omitting the names of the witnesses before whom it was actually taken. The original depositions, marked at the foot of each leaf with the initials of Paris, are preserved in the Record Office, to which Laing informs us he had not access when he wrote his History;[1] and we find that they were taken, not in presence of Alexander Hay, as Hay's attestation to the copy in the Cotton Library led Laing to believe, but "in presence of Mr George Buchanan, Master of St Leonard's College in St Andrews; Mr John Wood, Senator of the College of Justice; and Robert Ramsay, writer of this declaration, servant to my lord regent's grace."

The notary, Alexander Hay, was thus guilty of a double fraud. In the copy of the depositions preserved in the Cotton Library he not only omitted the names of the real witnesses appended to the original, but he represented himself to have been the sole witness of the declaration of Paris. Hay thus rendered himself liable to very severe penalties. On referring to the Scottish Statute-book, we find—and the circumstance is extremely significant—that forgery, and more especially forgery by notaries, was at this period a very common offence. In the year 1540 an Act was passed for the punishment of false notaries. By the Statute of 1551[2] the penalties of forgery attached not only to the makers and users of false instruments, but to the "falsifiers of any writings whatever." The preamble of a subsequent statute passed in 1555 speaks of "the great and many falsehoods daily done within this realm by notaries;" and we find by this Act that Alexander Hay had rendered himself liable to the loss of his right hand, to the forfeiture of the

[1] Laing, ii., Appendix. [2] Scotch Acts.

whole of his personal estate, and to banishment for life. But as he was clerk of Murray's Privy Council, as well as a notary-public, he no doubt considered himself secure.

Nothing is known of the depositions of Paris, therefore, except that they are professedly written by a servant of Murray, and are attested by two of his creatures, Buchanan and Wood, both pensioners of Cecil, and both mortal enemies of the Queen of Scots.

But although the depositions were, according to the document in the Record Office, taken in presence of Buchanan, that historian has unaccountably rejected the evidence of Paris—the most important of all the witnesses against the queen, and the only one, in fact, who accused her directly of the crimes imputed to her. To the 'Detection,' which was published two years afterwards, Buchanan appended the depositions of Hay, Hepburn, and Dalgleish; but the depositions of Paris are omitted. In his 'History of Scotland,' published subsequently, although he refers on various occasions to Paris, he is equally silent on the subject of his depositions. It is impossible to assign any reason for the rejection of these by Buchanan, except their manifest extravagance and absurdity, which, even he concluded, could not impose on the worst enemies of the queen. Subsequent historians, we have seen, have shown less discrimination; and Mr Froude adopts at the present day as absolutely genuine the incredible narrative of Paris, by transferring to his pages some of its most sensational passages, without even acquainting his readers that its authenticity has ever been called in question.[1]

[1] History, ix. 5.

The evidence of Thomas Nelson, the only one of Darnley's servants who escaped with his life from the Kirk-of-Field, and whose deposition was produced at Westminster, contains various matters prejudicial to the queen, although it does not directly charge her with the murder.

Nelson says that, on her arrival at the Kirk-of-Field with her husband, a bed of black figured velvet had been placed in his room, but that she ordered it to be taken away and an old travelling bed to be set up in its stead, thus implying that Mary Stewart was the most economical of murderesses.[1] Nelson further says that on the night of the murder she had promised to sleep at the Kirk-of-Field; but after remaining some time with the king, she suddenly remembered her engagement to attend the mask at Holyrood, and returned to the palace with her attendants. But it is most improbable that her intention to be present at the ball should not have been well known beforehand. Nelson further says that the queen ordered an old door to be used as a cover for the king's bath, to convey the notion, apparently, that the house was meanly furnished and ill adapted for an invalid. Finally, to connect her with the plans of the assassins, he says that the door of the queen's apartment was always kept locked, and that the keys were kept by her servants Beton and Paris, the two men who, it will be remembered, were the alleged carriers of the two Glasgow letters.[2]

A document lately discovered may satisfy us that some at least of Nelson's allegations are false. A contemporary inventory of the furniture contained in the

[1] See State Trials, i. 930.

[2] See the two letters, *ante*.

Kirk-of-Field at the time of the explosion shows that the king's chamber was furnished, not with an old travelling bed, but with one of violet velvet, richly ornamented with gold and silver lace.[1] From an entry on the margin of the inventory, we find, further, that the queen had made a present of this bed to Darnley in the previous month of August,[2] at a time when, according to the slanders subsequently invented by her enemies, she was treating him with studied indignity and neglect. The same document contains a complete list of the other articles provided for the king's apartment; and we find that it was amply, and even luxuriously, furnished according to the fashion of the age. There were supplied from Holyrood couches of silk and velvet, tapestry to cover the walls, and a Turkey carpet, which at the time must have been a rarity in Scotland.

The next piece of evidence we possess respecting the murder is the confession of Ormiston—commonly called, from his complexion, "The Black Laird"—previous to his execution on the 13th December 1573. He was convicted upwards of six years after the commission of the crime; and his confession was made, as it appears, to John Brand, one of the ministers of Edinburgh, who attended him in his last moments. Ormiston, who was one of Bothwell's Border retainers, says that the earl spoke to him on the subject of the murder only two days before it was committed, and that "he utterly refused" to join in the plot. "If it were upon the field," he added, "to fight unto the

[1] Published by Mr Joseph Robertson. It appears that, of forty-five beds contained at Holyrood, only three were ornamented in this manner.—See preface to the Inventory.

[2] This confirms the opinion of Castelnau, that at this time the king and queen were reconciled.—*Ante*, 157.

death, I should not fear my skin cutting." Bothwell replied, "Tush, Ormiston; you need not take fear of this, for the whole lords have concluded the same long since at Craigmillar, all that were there with the queen, and none dare find fault with it when it shall be done." He says that, notwithstanding, he took no active part in the plot, except to give directions how the train should be fired. But he does not state where the powder was placed, an omission which is to be regretted; for there is an air of truthfulness about Ormiston's confession which leads us to give much more credit to it than to any of the preceding depositions. After the murder, Ormiston says that Bothwell showed him a bond signed by four or five names, which he assured him were those of Huntly, Argyll, Maitland, and Sir James Balfour;[1] and he said that many more had promised, who would stand by him in case of need. Bothwell then read the bond to him, which, as far as he remembered, was to this effect, "that it was most profitable for the commonwealth, by the whole nobility and lords undersigned, that such a young fool and proud tyrant should not reign nor bear rule over them; that they all had concluded that he should be put off one way or another, and whosoever should take the deed in hand, or do it, they should defend and fortify it," &c. Bothwell further informed him that the bond had been drawn up by Sir James Balfour, and signed a quarter of a year before the deed was done. That such a bond existed no one doubts, and the fact is wholly inconsistent with the tenor of the Glasgow letters and the depositions first produced, which charged the guilt entirely to the queen and Bothwell.

[1] Confession of Ormiston; State Trials, i. 944.

The next piece of evidence in order of time is the confession of the Earl of Morton, who, after having been Regent of Scotland, was in June 1581, fourteen years after the event, tried and executed for the murder of Darnley. The record of the trial is very imperfect; but we learn that he was found guilty of being "art and part, foreknowledge and concealing of the treasonable and unnatural murder" of the king. What witnesses appeared against him we do not know; but from a letter written by Sir John Foster,[1] warden of the middle marches, to Sir Francis Walsingham, two days after the execution, we learn that the first piece of evidence produced at the trial was the testament of Bothwell, who had died in Denmark in 1577. We may assume, therefore, that this deed contained matter implicating Morton. Sir John Foster in the same letter makes mention of a bond of "manrent" granted by Morton to Bothwell, by which he probably alludes to the Craigmillar bond.

Morton in his confession, which was taken before three of the clergy of Edinburgh, of whom John Brand was one, admitted that on his return from England Bothwell met him at Whittingham and invited him to join in the plot against the king. Morton added that he refused to do so, because the queen's consent in writing, which he said Bothwell had promised to obtain, was never shown to him. He also admitted that he received his kinsman Archibald Douglas after the murder, although he well knew that he was concerned in it. Morton was thus guilty, by his own confession, as an accessory after the fact, as well as of both the charges laid against him.

[1] See the letter, dated 4th June; Chalmers, ii. 419.

On the day after Morton's execution, a man named John Binning, who had been in the service of Archibald Douglas at the time of the murder, was also tried and convicted at Edinburgh. Binning confessed before his death, not only that his master was concerned in the plot, but he accused also John Maitland, Abbot of Coldingham, brother of the secretary, and Robert Balfour, brother of Sir James, and owner of the house at the Kirk-of-Field.[1]

In consequence of Binning's confession, an attempt was made to arrest Archibald Douglas, who was in Scotland at the time; but he contrived to make his escape. Some years afterwards he addressed a letter to the Queen of Scots, who was then at Sheffield Castle, in which, though he naturally conceals his own guilt, he throws much additional light on the circumstances preceding the murder.

Douglas had been concerned in the murder of Riccio, and he fled to England with the rest of the assassins; but through his influence at the French Court he contrived to obtain a pardon, and was allowed to return to Scotland before any of his associates. By them he was naturally employed to solicit the good offices of the leading men in Scotland on their behalf. Douglas says that the persons to whom he applied were Murray, Atholl, Argyll, Bothwell, and Maitland, who was his brother-in-law. In reply to his application, these men declared that they had determined to obey Darnley no longer; that they, as well as others, "had thought it convenient to join themselves in league and band;" and that if the Earl of Morton "would enter into that band and confederacy with them," they would to the

[1] Pitcairn's Criminal Trials.

utmost of their power endeavour to obtain his pardon from the queen. We have here an exact repetition of the negotiations which preceded the murder of Riccio.

Douglas says that he repaired with these proposals to Newcastle, just as Lennox had done a year before with the proposals for the assassination of the Italian. Upon explaining them to the Earl of Morton, "in the presence of his friends and company," Douglas says that they all agreed "to enter into the said band;" and that on the occasion of the baptism of the prince, the banished lords, as was well known, received their pardon. Douglas proceeds to say that he was at Whittingham when Morton arrived there on his return from England, and that while the earl was there, Bothwell, accompanied by Maitland, paid him a visit. "What speech passed there amongst them," continues Douglas, "as God shall be my judge, I knew nothing at that time; but at their departure I was requested by the said Earl Morton to accompany the Earl of Bothwell and the secretary to Edinburgh, and to return with such answer as they should obtain of your majesty, which being given to me by the said persons, as God shall be my judge, was no other than these words: 'Show to the Earl of Morton that the queen will hear no speech of that matter appointed unto him.' When I craved that the answer might be made more sensible, Secretary Lethington said that 'the earl would sufficiently understand it.'"[1] We have here a confirmation of Morton's statement, that the conspirators promised to obtain the queen's written consent. That they had any grounds for their assertion we have no proof whatever.

[1] Robertson, iii., Appendix, 415.

The whole conduct of Morton as here described is highly characteristic. We have seen that that crafty politician had taken the precaution before the murder of Riccio to obtain the written assent of Murray and his associates to the plot. But the murderers of Darnley were satisfied with Morton's promise, which, being in daily dread of forfeiture, he readily gave. When, however, he had obtained his pardon, he declined to fulfil his engagement except on a condition which he could never expect to be complied with. It is not improbable, therefore, that, availing himself of this and other pretexts, he did not sign the bond for Darnley's murder. He had already gained his object without doing so; and he could watch the progress of events in comparative security, while his more rash confederates would incur all the danger of the enterprise.

We have now laid before the reader, as shortly as the nature of the subject will admit, the whole of the evidence extant relating to the death of Darnley. We find that, for more than two years after that event, no one was publicly charged with the murder except Bothwell and the queen; and we know that it was the interest of the ruling faction in Scotland at the time to confine the accusation to these two persons. We find that, after the leaders of that faction commenced to quarrel amongst themselves, they began to accuse each other of the crime; and eventually that it was laid to the charge, upon evidence more or less trustworthy, of nearly all the principal nobility of Scotland. The murder was at first represented as one of a purely domestic character, arising from the queen's hatred of her husband and her violent passion for

Bothwell; and the Glasgow letters were obviously fabricated to give this aspect to the case, for they implicate only her and her supposed paramour. But this view is inconsistent with the undoubted guilt of the leading nobility, who, from motives either of interest or revenge, nearly all desired Darnley's death. An impartial examination of the facts cannot fail to lead us to the conclusion that the mysterious assassination of the king was not a domestic, but a political, crime; and it was one which for many a day secured political power to that faction which from the first had opposed his marriage, and had never ceased from the time of his arrival in Scotland to lay plots for his destruction.

The history of the depositions and confessions concerning the murder is therefore very remarkable. They first exhibit Bothwell and the queen as the only prominent actors in the tragedy. To them are added, in process of time, Huntly, the chancellor; Argyll, the lord-justice; Maitland, the secretary; and Sir James Balfour, who, we may add, was afterwards President of the Court of Session. Next follows the Regent Morton and his kinsman Archibald Douglas; and last of all, John Hamilton, Archbishop of St Andrews, is introduced upon the scene, to prove, apparently, that all the most powerful families in Scotland were banded together for the destruction of the unhappy king.

The charge against the Primate of Scotland, however, rests solely on the authority of Buchanan; and in making it, he contradicts himself in his own peculiar manner. After circumstantially describing, in the eighteenth book of his 'History of Scotland,' the part that Bothwell and the queen took in the perpetration of the murder, he informs us, in the twentieth book of

the same work, that the crime was committed not by them, but by the Archbishop of St Andrews and his servants, who at the time occupied the town house of the Duke of Chatelherault, in the vicinity of Darnley's temporary residence. "The Archbishop of St Andrews," says the historian, "who lodged in the next house, when the proposition of killing the king was made to him, willingly undertook it, both by reason of old feuds between their families, and also out of hopes thereby to bring the kingdom nearer to his family; upon which he chooses out six or eight of the most wicked of his vassals, and commended the matter to them, giving them the keys of the king's lodgings; they then entered very silently into his chamber, and strangled him when he was asleep. And when they had so done, they carried out his body through a little gate into an orchard adjoining to the walls, and then a sign was given to blow up the house."[1] Buchanan here gives the most direct contradiction to the deposition of Hay, Hepburn, and the rest, which he himself had first published, and which all agree in declaring that the king had perished in the explosion, and that he "had been handled by no man's hands."[2]

There is only one way of accounting for these extraordinary contradictions. We must assume that when Buchanan wrote the eighteenth book of his History Murray was regent, and therefore it was necessary to blacken the character of the queen. When he wrote the twentieth book, Lennox was regent; and to gratify his hereditary hatred of the house of Hamilton, he had hanged the Primate of Scotland[3]—an act

[1] History, book xx., edition of 1722.

[2] Confession of Hepburn; State Trials, i. 927.

[3] The archbishop was hanged at Stirling in April 1571. On the

unprecedented in the history even of that turbulent country—under the pretext that he was one of the murderers of Darnley. To justify this barbarous act, Buchanan, disregarding or forgetting what he had previously written, lays the whole blame of the murder upon the archbishop. The passage we have cited is consistent alike with this author's habitual contempt of truth, and with his steady adherence to the ruling powers for the time being, whether a Mary Stewart, a Murray, or a Lennox, administered the affairs and dispensed the patronage of the State.

The question naturally arises, Whether, when we find that so many of the leading men in Scotland were concerned in the murder of Darnley, it was possible for the queen to have remained in ignorance of the plot? But to this it may be answered, that the Scottish nobles had in that age brought the art of secret plotting to the highest degree of perfection, and that the queen had been kept entirely in the dark respecting the conspiracy against Riccio, in which a still greater number of persons, including her own husband, were engaged. Not the slightest intimation of the plot reached her ears until the assassins of her secretary stood before her. Assuming that she was innocent, the enemies of Darnley had still stronger motives for secrecy; for the

gibbet a paper was fastened, on which appeared the following lines:—

"Cresce diu felix arbor, semperque vireto,
Frondibus, ut nobis talia poma feras."

On the same night, says the contemporary author of the 'Historie of King James the Sext,' two other lines were added as "ane antidote to the first," as follows:—

"Infelix pereas arbor, si forte virebis
Imprimis utinam carminis auctor eris."

—P. 118.

crime they contemplated was of a still more heinous kind, and in case of miscarriage they could count upon no external aid. It was hopeless for them to look, in case of need, as the murderers of Riccio had done, for sympathy and succour from the English Government. The necessity of self-reliance, therefore, and the dangers of failure, would naturally induce the conspirators to observe the utmost secrecy and caution in the prosecution of their design.

Before concluding this chapter, it is necessary to advert to a topic which has given rise to some difference of opinion — namely, the manner of Darnley's death. We learn that besides the king there were six persons in the house at the time of the murder. A valet named William Taylor slept in his master's room. On a gallery or corridor outside there were Nelson—to whose deposition we have referred—a man named Symonds, and a boy; and in the lower storey were two grooms named Macaig and Glen.[1] Of these persons four were buried in the ruins—namely, Symonds, the boy, and the two grooms. Nelson was extricated unhurt. The body of Darnley in his night-dress, and of his servant Taylor, were found in an orchard at a distance of no less than eighty yards from the house, and in the direction of the town wall, without any mark of violence upon either of them. The king's slippers and a fur pelisse belonging to him were lying by his side.

It was the universal belief at the time that the king and his servant had been strangled, and that the house had been afterwards destroyed; but this notion is directly at variance with the depositions of Hay,

[1] See the depositions of Nelson and others; State Trials, i.

Hepburn, and Paris, all of whom assert that the king perished in the explosion; and Hume[1] and Laing,[2] who have done their best to uphold the credit of these witnesses, maintain that they spoke the truth, and that the opinion formed on the spot was erroneous, because in that age the explosive powers of gunpowder were imperfectly understood.

This is a bold assertion, when we consider that gunpowder had been employed in warfare for upwards of two centuries before the death of Darnley; and the notion of these historians is inconsistent with a circumstance related by Sir William Drury in a letter which neither of them ever saw. Drury says that the mode of putting the king to death had been duly discussed by the murderers, and that Captain Cullen, a creature of Bothwell, advised them, "for more surety, to have the king strangled, and not to trust to the train of powder alone, as he had known many so saved."[3] Drury says in the same letter that "the king was long of dying, and to his strength made debate for life;" thus corroborating the account of the murder given by every contemporary writer. We may add that the Count Moretta, ambassador of the Duke of Savoy, who was in Edinburgh at the time, reported that certain women who lived near the spot where the king's body was found declared that they overheard his cries for mercy while he was in the hands of his murderers.[4]

If we suppose, with Hume and Laing, and the depo-

[1] Chapter xxxix. [2] Chapter vii.

[3] Drury to Cecil, 24th April.

[4] "Oh fratelli miei, habiate pietà di me per amor di colui che hebbe misercordia di tutto il mondo."—Despatch of the Pope's nuncio from Paris to Cosmo de Medici; Labanoff, vii. 108.

sitions of the witnesses upon which they rely, that the king was blown up in the air, we must believe it possible, in the first place, that a human body, nearly naked, could be thrown a distance of eighty yards without any marks of violence; we must believe that another body was thrown to the same spot, and with the same results; and, lastly, we must believe that the king's pelisse, as well as his slippers, were also blown to his side by the explosion, or placed there without any imaginable motive, while all the five remaining inmates of the house were buried in the ruins.

The Count Moretta, an intelligent and impartial observer, has left us what appears to be by far the most probable account of the king's murder. From all he could learn upon the spot, he was led to believe that Darnley,[1] upon overhearing the assassins, attempted, along with his attendant, to make his escape, but that they were perceived when hastening from the house, and were forthwith pursued, overtaken, and strangled. There was a stair communicating with his apartments from the outside, which would enable the fugitives to leave the house without disturbing the other servants; and the articles of clothing found by Darnley's side had probably been snatched up in haste by Taylor to protect his master in his flight.

No one could have been worse adapted for the position in which fortune had placed him than this unhappy youth. From the time of his arrival in Scotland his imperious demeanour had proved to the last degree offensive to the nobles, who were accustomed to receive, or rather to exact, a very different kind of

[1] See the despatch above referred to.

treatment even from their native sovereigns. But he neither knew himself nor the people among whom his lot was cast. Although addicted to the lowest vices, he aspired to rule with not one quality to guide him except that habit of dissimulation taught by his experience of courts, but which could not hide those fatal defects of character which raised up against him a host of enemies, and prevented him apparently from ever making a single friend. His meddling and treacherous disposition thus involved him in political intrigues, the true bearing of which he could not comprehend; and he became first the tool, and finally the victim, of men who, he vainly imagined, were to be the instruments of his shallow ambition.[1]

[1] Catherine de Medici, in announcing to the Constable Montmorency the death of Darnley, probably expressed the opinion generally entertained upon the subject: "Vous verrez que ce jeune fou n'a pas été longtemps roi. S'il eût été plus sage, je crois qu'il seroit encore en vie."—Quoted by Cheruel, p. 51, from the Bibl. Imp.

CHAPTER VII.

FROM THE DEATH OF DARNLEY UNTIL THE TRIAL OF BOTHWELL.

It happened that on the very day of Darnley's murder Cecil had expressed[1] his entire approval of the conduct and disposition of the Scottish queen. He derived his information from the Earl of Bedford, who had by this time returned to London; and we may therefore conclude, from the testimony of her enemies, that her reputation was unsullied down to the time of her husband's death. As has been already stated, it was not until after that event that the slanderous rumours respecting her and Bothwell were spread abroad.

On the day following Darnley's death the queen received a letter from her ambassador in Paris, informing her of some impending danger, and advising her to double her guards.[2] He had received his information, he said, through the Spanish embassy; but the friendly warning, to use her own words, came too late.

Nothing in the conduct of the queen at this critical time seems to be open to censure or suspicion. We hear of no extravagant display of grief when the tidings of her husband's death reached her. Bothwell,

[1] In a letter to Sir Henry Norris, the English ambassador in France; Cabala, 134.

[2] Miss Strickland, v. 187.

the murderer, we are told, shouted "treason"[1] with all his might when the news came to Holyrood; but we hear of no passionate ejaculations on the part of his supposed accomplice. Buchanan, in his accustomed strain of exaggeration, says that, on hearing of the news, she "settled herself to rest, with a countenance so quiet and mind so untroubled that she sweetly slept till the next day at noon."[2] But the letter which she immediately addressed to her ambassador in Paris exhibits none of this superhuman composure. "The matter," she said, "is horrible, and so strange as the like was never heard of in any country."[3] In consequence probably of the warning she had received from Paris, she took up her residence in the castle, where she remained in close seclusion until after Darnley's funeral.

On the 11th of February a Privy Council was held, at which it was determined that a reward of £2000, besides a grant of land, should be offered to any one who should discover the king's murderers. At this Council two women were examined, whose evidence has only recently been discovered. They lived in the neighbourhood of the Kirk-of-Field, and they said that after the explosion, which induced them to look into the street, they counted nineteen men running into the direction of the city. One of these witnesses[4] said that she laid hold of one of the men as he passed her door; that he wore a silk cloak; but that he shook her

[1] Deposition of Powrie; State Trials, i. 918. [2] Detection, 24.

[3] Letter to Archbishop Beaton; Chalmers, i. 318.

[4] The name of this courageous matron was Meg Crokat, wife of a servant of the Archbishop of St Andrews. She says that she was in bed with her "twa twins" when she heard the "crack." She then ran to the door in her "sark," and heard her neighbour, Barbara Martin, "flyting" with the men who were running past, and calling them "traitors."—Hopetoun MSS. in the Register House, Edinburgh.

off, and continued his flight without speaking. The evidence of these women furnishes additional proof of the unreliable character of the depositions of Hay, Hepburn, and Dalgleish, who speak only of nine persons being concerned in the murder.

Mary has been accused of a criminal degree of inactivity after the death of her husband; and her conduct at this time has been contrasted with the extraordinary energy which she displayed after the murder of Riccio.[1] But the circumstances were wholly different. Riccio had been put to death almost before her eyes. The leading conspirators against him—Ruthven, Morton, and their accomplices—were known to all the world. The dangers which threatened her were obvious and imminent, and she met and overcame them with characteristic intrepidity. But assuming that she was innocent of the plot against her husband, it may be asked what she could have done. The whole affair was at the time involved in impenetrable mystery; but we now know for certain that the queen's own ministers were the murderers. Her chief officers of justice—Huntly the chancellor, and Argyll the lord-justice—were both in the plot. Bothwell, the sheriff of the county, had taken an active share in the perpetration of the murder; and Maitland, the secretary, who had first proposed to get rid of Darnley, was probably the most guilty of all. It is said, notwithstanding, that she ought to have caused this and that person to be arrested[2] on suspicion; but, except in the most despotic countries, sovereigns do not take upon themselves such duties. These necessarily devolve on the officers appointed for the purpose; and in the pre-

[1] Mignet, i. 221.

[2] Robertson, book iv.

sent instance the queen's advisers had the strongest possible motives for preventing the truth being known. She could not move a step without their assistance, and they were themselves the principal criminals. We need not therefore be surprised that no active measures were taken at this time [1] for the apprehension of the subordinate delinquents, whose disclosures might have implicated not only Bothwell but his colleagues. Murray meanwhile pursued his usual cautious and selfish policy. Instead of repairing to Edinburgh to aid his sister, as she earnestly desired,[2] with his counsel, in the unprecedentedly painful situation in which she was placed, he remained quietly in Fife for some weeks after the murder—a circumstance which confirms our belief, at least, of his foreknowledge of the crime. It is worthy of note that Morton, the most constant of Murray's adherents, also at this time paid a visit to St Andrews.

Mr Froude informs his readers that on the first news of Darnley's murder, "the general instinct had settled" upon the queen;[3] and in proof of this assertion he cites an extract from a despatch of De Silva, the Spanish ambassador in London, to Philip II. But we may observe generally with reference to the Spanish authorities, that they entertained at this time no friendly feeling towards the Queen of Scots. Cecil,[4]

[1] Mary herself alluded in very pointed terms to the apathy exhibited by her ministers at this time. In the memorial which she addressed to the different European Courts from Carlisle in the following year, she says: "Her majesty could not but marvel at the little diligence they used, and that they looked at one another as men who wist not what to say or do."—Labanoff, vii. 318.

[2] "She hath twice sent for the Earl of Murray, who stayeth himself by my ladie in her sickness."—Drury to Cecil, 28th February, B. C.

[3] Froude, ix. 18, note in the original Spanish. [4] *Ante*, p. 84.

as we have seen, had perceived this some time before; and her refusal to sign the Catholic league would tend to confirm the prejudices of Philip. He had, moreover, every reason to regret the loss of Darnley, of whose marriage with the Scottish queen he had from the first approved, and whose bigotry and zeal he might reasonably hope, in the progress of events, to turn to the profit of their common faith.

Let us now see how far the authority cited by Mr Froude bears out his assertion. It appears that Moretta, the ambassador of the Duke of Savoy, left Edinburgh on the day after Darnley's murder. On his arrival in London he had an interview with De Silva, and the latter asked him plainly whether he believed, from "all he had seen and heard, the queen to be guilty."[1] The form of the question sufficiently betrayed the prejudice in the mind of the Spanish envoy. But Moretta, who at the time could know nothing as to the truth, declined to express any opinion. "He neither," says De Silva, "accused the queen, nor did he say that she was free from blame."[2] He told the Spanish ambassador simply nothing, for he had nothing to tell. The incident itself is wholly unimportant, except in so far as it clearly shows the unkindly spirit with which the Queen of Scots was at this time regarded by the Spanish Court. It is obvious from De Silva's letter that it was he himself, and not the man who had just quitted the scene of the murder, who expressed suspicion of the queen.

[1] Froude, ix. 18, note in original Spanish.

[2] Ibid. "No la condeño de palabra, no la salbó nada." In another letter written by De Silva to the Spanish ambassador in Paris, in which he describes Moretta's visit, he says nothing as to any suspicion of the queen. He merely says that Moretta could tell him nothing as to who were the authors of the crime.—Teulet, v. 19.

The truth is that the most various and contradictory reports were immediately circulated respecting the death of Darnley. We learn from two antagonistic sources—Camden[1] and Buchanan[2]—that it was at first rumoured that Murray and Morton were the authors of the crime; and as both of these men had been notorious enemies of the king, it was natural that suspicion should attach to them. Melvill, on the other hand, says that every one suspected Bothwell.[3] Another rumour attributed the plot to Catherine de Medici;[4] and one more extraordinary still ascribed it to Elizabeth,[5] who had intended to destroy both Darnley and her hated rival the Queen of Scots. As no proofs had yet come to light, conjecture was allowed to run riot, and new theories and fresh suspicions were taken up apparently and thrown aside from day to day.

But the most extravagant theory of all is stated by the Spanish ambassador in France in a letter which furnishes additional and conclusive proof of the unfriendly feeling with which the Queen of Scots was at this time regarded by the Court of Spain. He says that she was suspected of having murdered her husband in order "that she might send the infant prince into England, and establish heresy throughout the whole kingdom."[6] If her orthodoxy had not been strongly suspected, a notion so utterly preposterous could never have been entertained. But toleration was a thing incomprehensible to Spanish politicians; and they assumed, no doubt, that as the Queen of

[1] Book i. [2] Book xviii. [3] Memoirs, 78.
[4] Frances de Alava à Philip II.; Teulet, v. 23.
The same to the same; ibid., v. 21. [6] Ibid.

Scots had refused to join in their projected crusade against Protestantism, she might not only be induced to take part with their enemies, but was capable of any crime.

Meanwhile the enemies of the queen in Scotland were not idle. On the 16th of February, the morning after Darnley's funeral, an anonymous placard was found affixed to the door of the Tolbooth, charging the Earl of Bothwell, Sir James Balfour, David Chalmers, and black John Spens with the murder of the king; and that "the queen was assenting thereto, through the persuasion of the Earl of Bothwell and the witchcraft of the Lady Buccleuch."[1] Another placard appeared a few days afterwards, accusing three French servants of the queen, named Francis, Bastian, and John de Bourdeaux, and also Joseph Riccio,[2] the brother of the secretary. Voices, too, were heard in the streets in the middle of the night accusing the queen and Bothwell; but no one came forward publicly to make any charge, in spite of the large rewards that were offered for the discovery of the murderers.

On the 16th of February, the queen, by advice of her physicians, took up her residence at Seton Castle, a distance of eight miles from Edinburgh. She was accompanied by a numerous retinue, including the Primate of Scotland; but in whatever direction she now turned, slanderous tongues and pens were busily at work. Since the dismissal of Randolph, Elizabeth had maintained no permanent resident in Scotland; but Sir William Drury transmitted at this time from

[1] Keith, ii. 519. Lady Buccleuch was a sister of Lady Reres.

[2] After the murder of his brother, the queen had appointed Joseph Riccio to the vacant post of secretary for French correspondence.

Berwick a variety of scandalous stories against the Queen of Scots, which are only worthy of notice as showing the tactics now adopted by her enemies, and which, we may add, they continued without intermission during the remainder of her unhappy life. Their successive conspiracies against her crown had all signally failed; but she was a woman, and they might effect by slander what they could not accomplish by force. In a country where religious prejudices ran so high, the work of calumny was easy. No matter what was the nature of the accusation against a Catholic queen, so long as it was boldly made and frequently repeated, it was sure to gain a certain amount of credit in the end.

As to Drury's means of information at this time he is ominously silent; but we may safely conclude that the scandals which he transmitted so industriously to England were supplied either by paid informers whom Cecil maintained in Scotland,[1] or by the queen's worst enemies in Edinburgh. That his correspondents, whoever they might be, furnished him with a mass of false intelligence we have abundant proof.

On the 17th of February, for example, the day after the queen left Edinburgh, he writes that he had "*certain knowledge*" that the queen had gone to Dunbar along with Bothwell.[2] This information was untrue, for she proceeded no further than Seton; but she was thus represented by her enemies as visiting Bothwell at one of his castles within eight days of the murder of her husband.

[1] Christopher Rokesby was still in Scotland, and we shall find that a brother of his named Anthony was in Edinburgh a few months later. We may conclude that there were other men of the same stamp engaged in the same nefarious work. [2] Record Office.

A few days later Drury sends up a fresh piece of scandal. The Countess of Bothwell, he says, "is extremely sick, and not likely to live, being marvellously swollen"—insinuating, obviously, that she was poisoned. But the prediction contained in this letter was unfortunate, for the lady lived for upwards of sixty years afterwards.[1] A fitting sequel to this story is to be found in the same letter. "The queen and Bothwell," says Drury—and it is instructive to observe how the two are always coupled together at this time in the writings of her enemies—"have been shooting at the butts against Huntly and Seton for a dinner at Tranent, which the latter had to pay."[2]

Strangely inconsistent with this piece of malicious gossip are the accounts which Drury himself furnishes at this time respecting the queen's health. We know that she had not yet recovered, and perhaps never did recover, the effects of her dangerous illness at Jedburgh; and the Marshal of Berwick informed Cecil that "she breaketh much," and is subject to frequent fainting fits.[3] Yet in the most inclement season of the year, and in defiance of all decency, she is represented as "shooting at the butts"—then, as now, essentially a summer pastime—on the bleak shores of the Firth of Forth within a fortnight of her husband's murder.

[1] The Lady Jane Gordon, after her divorce from Bothwell, married, first, Alexander, eleventh Earl of Sutherland, and on his death in 1594 she married a third husband, Alexander Ogilvy of Boyne. She died in 1629.—Keith, i. 573, note.

[2] Mr Tytler has given a place to this incident in his 'History of Scotland' (vii. 91); but this historian, although thoroughly honest, is too apt to give implicit credit to original papers—especially if he finds them in the Record Office—without sufficiently considering the circumstances under which they were written.

[3] Quoted by Miss Strickland, v. 228.

Want of judgment she had occasionally shown, but so gross a want of feeling and of self-respect was incompatible with the whole of her previous and the whole of her subsequent career.

We learn, however, on better authority than that of Drury's nameless correspondent, that this story of the shooting-match at Seton is equally veracious with the alleged visit of the queen to Dunbar, and the alleged dying condition of Lady Bothwell. We find from the 'Diurnal of Occurrents'—which was certainly written by no partisan of the queen, for every unfavourable rumour against her is set down with rigid impartiality—that Bothwell did not accompany her to Seton at this time at all, but that he and his brother-in-law Huntly remained at Holyrood in charge of the prince.[1]

In further proof of Bothwell's complete ascendancy over the queen, it is asserted that she gave him about this time the command of Edinburgh Castle; but not only does no record exist of this appointment, but we learn from an entirely independent source that, instead of acting in concert with Bothwell at this time, the queen, apprehensive for her personal safety, was anxious to retire to France. We learn this important fact from a letter addressed by the Spanish ambassador in Paris to Philip II., and it furnishes the best reply to the countless calumnies invented at this time by the queen's enemies, and so carefully transmitted to Cecil by his emissaries in the north.

[1] "Upon the 16th day of February our sovereign lady passed from Holyrud House to Seyton, and left the Earls of Huntly and Bothwell in the Palace of Holyrud House to keep the prince unto her returning."—Diurnal of Occurrents, 106.

On the 15th of March Don Frances de Alava writes to Philip in the following terms: "The Queen of Scotland is so much alarmed that I understand she is anxious to come to this kingdom, to live in a town assigned to her for her dower; *but here they are opposed to her coming*, and do their utmost to induce her to remain where she is. Rambouillet has declined to go and condole with her on the death of the king. No other person has yet been named."[1]

Exposed to unknown dangers, surrounded by traitors, and suffering in health, nothing could be more natural at this time than her desire to seek an asylum in the country where she had spent her happy youth. We have seen that after the murder of Riccio she had experienced the same feelings of nervous apprehension, and expressed the same earnest desire to retire to France; and at the conference at Craigmillar, some eight months afterwards, she had repeated the same wish to her ministers. We need not, therefore, be surprised that, after a catastrophe still more appalling than the murder of her secretary, she should long to quit scenes associated with such dismal recollections, and be prepared to abandon, at least for a time, the apparently hopeless task of ruling her lawless subjects. But how are we to reconcile this earnest and ever-recurring wish to retire to France with her alleged infatuated love for Bothwell? We cannot doubt that he was aiming at the crown; and if, as her enemies assert, she was acting in close concert with him from the time of Darnley's death, how are we to explain the attempt she now made to quit the scene where her

[1] Teulet, v. 22. Catherine de Medici was no doubt opposed to her return.

presence was indispensable to the accomplishment of his designs? Her return to France must necessarily have proved fatal to his daring schemes; for he could never hope to obtain her hand while she resided in that country. It may be said that the Spanish ambassador was misinformed; but he states the matter so circumstantially, and the wishes of the queen, as described by him, accord so entirely with her previously expressed desires, that we cannot, without disregarding the plainest rules of historical evidence, reject his testimony.

It is asserted, notwithstanding, that within a few weeks of her husband's death she signed two separate contracts binding herself to marry Bothwell, who was at the time not only a married man, but who had married his wife about a year before with the entire approbation of the queen. But it would require stronger evidence than the oath of Morton to induce us to believe that any woman in her senses would commit an act of such superlative folly, and we have no other evidence upon the subject. One of these so-called contracts, bearing the signature of the Queen of Scots, is preserved in the Cotton[1] Library; but it is so palpable a forgery that Malcolm Laing[2] admits that it is not the original. But there is certainly nothing on the face of the document to show that it is a copy, while there is an obvious attempt to imitate the signature of the queen, but which could not for a moment impose upon any one acquainted with her actual handwriting.

The first contract is without date. The second, which is said to have been written by Huntly, the chancellor, is dated on the 5th April; and in it Both-

[1] Caligula, c. i. 202. [2] Vol. i. 361.

well undertakes "to prosecute and set forward the process of divorce *already begun* and intended betwixt him and the said Dame Jane Gordon," &c.[1] But it is certain that no process of divorce was begun at this time. It was not, in fact, commenced until the last week of April, when the queen was a prisoner at Dunbar. This is admitted by the very men who first produced the alleged contract in the following year before Elizabeth's commissioners at York. "It plainly appears," says Buchanan, "by the judicial acts before the two several ecclesiastical ordinary judges, wherein is contained the whole process of the divorce between the said Earl and Dame Jane Gordon, his wife, that the one of the same processes was *intended and begun* the 26th day of April, and the other the 27th.[2] We know from other sources that Buchanan in this instance told the truth; and we thus have conclusive proof that the contract must have been drawn up after the date which it now bears.

In the beginning of March, Henry Killigrew had arrived in Scotland, bearing letters of condolence from Elizabeth. Mary returned to Edinburgh to receive the English envoy, who in a letter to Cecil[3] described the interview. Referring to Darnley's murder, Killigrew, who appears to have been both observant and discreet, says, "I find great suspicions and no proof." He adds that there was a general misliking among the commons, who seemed to think that "the detestable murder of their king was a shame to the whole nation." The industrious circulation of every species of calumny against the queen, when the popular mind was in this

[1] See Appendix E. [2] Anderson, ii. 96.
[3] Dated the 8th March; printed by Chalmers, i. 324.

feverish state, was a fitting prelude to the remarkable incidents which shortly afterwards occurred.

We learn from Killigrew's letter that Murray had by this time returned to Edinburgh, for he entertained the English ambassador at dinner; and we further learn that among the guests present on the occasion the Earl of Bothwell was one. The remaining guests were Huntly, the lord chancellor; Argyll, the lord-justice; and Secretary Maitland. It is remarkable that Murray should have invited no one to meet the English ambassador except the murderers of Darnley; for it cannot now be doubted that all these men had joined in the conspiracy, and it can hardly be doubted that Murray knew the fact. He knew, at all events, that Bothwell, whom he was now receiving at his table, had some weeks before been placarded as the chief assassin.

When the notion of getting rid of Darnley first occurred to Maitland, he probably little dreamed of the astonishing results which followed. To put out of the way a mischievous and incorrigible fool appeared, no doubt, a meritorious act in the eyes of the unscrupulous secretary. The history of Scotland recorded many a deed of violence [1] committed under circumstances of far less provocation; and Maitland and his fellow-conspirators might not unnaturally conclude that the excitement consequent upon the death of one whom no one could sincerely mourn, would quickly pass away. But circumstances at this time had given a

[1] It appears that Darnley only met the fate of the majority of his predecessors. The first entry in the contemporary Diary of Birrel is thus quaintly expressed: "There has been in this realm of Scotland one hundred and five kings, of whilk there was slaine fyftie-six."

prominence to the affairs of Scotland in the eyes of western Europe which they never previously assumed. The character and the prospects of the Queen of Scots were discussed with almost as much interest in Paris and Madrid as they were in London; and the news of the mysterious murder of her husband, speedily followed as they were by rumours most injurious to herself, alarmed even her most devoted friends. On the 9th of March her ambassador in Paris [1] described the state of feeling in that city in the following expressive words: "Of this deed, if I should write all that is spoken here, and also in England, of the miserable state of that realm [Scotland] by the dishonour of the nobility, mistrust and treason of your whole subjects—yea, that yourself is greatly and wrongously calumniated to be the motive principal of the whole, and all done by your command, I can conclude nothing by what your majesty writes to me yourself that since it hath pleased God to preserve you to take a rigorous vengeance thereof, that rather than it be not actually taken, it appears to me better in this world that you had lost life and all." [2] This letter, which contained, besides, much excellent advice, was written in reply to Mary's despatch announcing her husband's death; but if the honest prelate had known that on the day before his letter was written the murderers of Darnley had been entertained at dinner by the Earl of Murray, and that they were in fact the queen's chief officers of State, he would hardly have expressed surprise that the crime still remained unpunished.

In this letter we find another sample of the sullen spirit exhibited at this time towards the Queen of

[1] James Beaton, Archbishop of Glasgow. [2] Keith, i. 104.

Scots by the Court of Spain. The archbishop says that when he thanked the Spanish envoy in Paris for the warning he had given him respecting the plot against Darnley's life, the latter apprised him, and he said he had his information from the same source, "that there was yet some notable enterprise against the Queen of Scots, whereof he wished her to beware in time;" but upon being questioned, he refused all further information on the subject.[1]

The Earl of Lennox had not ventured to appear at Court since Riccio's murder; but on receiving the news of his son's death he commenced a correspondence with the queen, in which he entreated her to take immediate steps for the detection and punishment of the assassins. The two first letters which passed between Mary and her father-in-law have been lost. The second letter of Lennox, which is dated the 20th of February,[2] from his Castle of Houston, in Renfrewshire, begins by thanking the queen for her "most gracious and comfortable" answer, and suggests that, as the delinquents have not yet been discovered, a Parliament should be summoned to devise the best means of accomplishing that object. The queen sent an immediate reply, for it is dated from Seton on the following day, informing him that she had already anticipated his wishes; for that before the receipt of his letter she had summoned a Parliament, in which, "first of all, this matter (being most dear to us) shall be handled, and nothing left undone which may farther the clear trial of the same."

Lennox replied to this letter on the 26th of February by making a fresh suggestion. He had first

[1] Stevenson, 175. [2] Keith, ii. 525, and following pages.

advised that a Parliament should be summoned, and when his daughter-in-law replied that she had already anticipated his wishes in that respect, he suddenly shifted his ground. He says that "the time is long to the Parliament;" that the matter in hand is not "a Parliament matter, but ought rather to be with all expedition and diligence sought out and punished." He then adds that he has *heard* that the names of certain persons have been placarded on the door of the Tolbooth of Edinburgh as guilty of the murder, and he entreats the queen to cause such persons to be forthwith apprehended. The queen's answer to this letter is dated the 1st of March, and she says that so many names have been mentioned in the placards that it is impossible to determine against whom to proceed; but she adds, "if there are any names mentioned in them that you think worthy to suffer trial," proceedings should be forthwith taken against them, according to the laws of the realm.

To this invitation Lennox, though apparently so impatient to proceed, returned no answer until the 17th of March, when he furnished to the queen the following names—viz., the Earl of Bothwell, Sir James Balfour, David Chalmers, and black John Spens, as also certain foreign attendants of the queen—namely, Francis, Bastian, John de Bourdeaux, and Joseph Riccio; "which persons," he adds, "I assure your majesty, I for my part *greatly suspect.* I doubt not," he continues, "but your majesty will take order in the matter according to the weight of the cause."

Mary replied to this letter on the 23d of March, stating that she had summoned a council of her nobles for the following week, which she trusted Lennox

would be able to attend, and that measures would then be taken for bringing to trial the persons he had named. Lennox did not think proper to avail himself of the queen's invitation; but, in accordance with his desire, an order was made by the Privy Council on the 28th of March for the trial of the Earl of Bothwell, and all other persons suspected as principals or accessories to the murder of the king. The trial was fixed for the 12th of April, fifteen clear days being thus allowed to elapse between the citation and the arraignment of the accused. Certain modern historians, copying the wilful blunders of Buchanan, have asserted that forty days ought to have been allowed,[1] and that the time was purposely shortened to prevent Lennox from collecting his witnesses. But the charge is wholly unfounded; for the law of Scotland then usually prescribed, and now invariably prescribes, fifteen days as the period which must elapse between the citation and the trial of a prisoner.

Nothing could be more becoming than the tone of Mary's correspondence with Lennox at this time. The

[1] Froude, ix. It was only in case the person accused of treason was "fugitive" that forty days were allowed. If he was in custody, or if he appeared, there was nothing in the ancient law of Scotland to prevent a person charged with that crime from being put on his trial forthwith.—Skene, Lawes of Scotland, 132, edition of 1609. Cases occurred even in the seventeenth century, in which persons were cited and arraigned on a single day's notice.—Hume on the Criminal Law of Scotland, ii. 257. But it was usual to allow the accused a certain time to prepare his defence; and long before the trial of Bothwell—namely, in 1493—in the reign of James IV., an Act was passed which provided that persons charged with robbery should be cited within fifteen days. This practice seems to have been gradually followed in other criminal charges; and since the establishment of the Court of Justiciary, some two centuries ago, "the practice," says Hume, "has been uniform for the allowance of fifteen days in all cases and circumstances whatever."—Hume, *ubi supra*.

claims which he had upon his daughter-in-law were slight indeed. She had restored to him the titles and estates he had most justly forfeited, and within a twelvemonth afterwards he had repaid her generosity by conspiring against her life. But she lost sight, in his calamity, of the detected traitor, and addressed him with a degree of sympathy and consideration which, to do him justice, he does not seem to have expected. If she had made any parade of affection or esteem for her father-in-law, she might, under the circumstances, have been justly accused of deceit; but her letters, though expressed with perfect courtesy, and evincing her readiness to comply with his wishes to the utmost of her power, make no display of sentiments which it was impossible that she could feel towards such a man.

Having received notice of the day fixed for Bothwell's trial, Lennox proceeded to Stirling on his way to Edinburgh. He had no evidence whatever to offer against Bothwell, for none was discovered for some months afterwards; but he rapidly collected a host, not of witnesses, but of armed retainers—to the number, it is said, of 3000—with whom he at first intended to march to Edinburgh. Had he done so, a bloody conflict in the streets could hardly have been avoided; for the town was filled at the time with the adherents of Bothwell, among whom might be numbered all the officers of State. In case of a collision, therefore, the chances were decidedly against Lennox; and on mature reflection he appears to have arrived at this conclusion. On the 11th of April, accordingly, the day before the trial, he addressed a letter to the queen from Stirling, alleging that he was sick and

unable to travel, and requesting her meanwhile to imprison the suspected parties, and to postpone their trial, that he might have "sufficient time" to seek "for manifestations of this most odious crime." Finally, he requested the queen to grant him her commission for apprehending such persons as he should be informed were present at the murder of his son.[1]

The unreasonable nature of these fresh demands is sufficiently apparent. Lennox had applied in the most urgent terms to the queen to proceed against the persons he had named; and he now asked that their trial should be postponed, and they should be committed to prison for an indefinite time, upon no other evidence than that of anonymous libels. The final request that he, a private nobleman holding no office in the State, should be empowered to imprison any one he might suspect, was quite in keeping with the rest of his demands.

The silence of Lennox upon a point which has been strongly urged against the queen at this time is worthy of notice. It is alleged by Mr Froude,[2] on the authority of a letter from Sir John Foster, warden of the middle marches, that Lennox received notice to come to Edinburgh with not more than six attendants, a circumstance which, if true, afforded him the best justification for his non-appearance. But the silence of Lennox furnishes the best reply to the hearsay information of Foster.[3] It is further to be observed that Robert Cunningham, the person who was sent by Lennox to Edinburgh to protest against the trial of Bothwell being proceeded with, was equally

[1] Keith, ii. 538. [2] History of England, ix.
[3] He was at Alnwick at the time.

silent on the subject. We cannot believe that this would have been the case if Lennox had had so substantial an excuse for his absence. In his letter to the queen he expressly states that he wishes the trial postponed, among other reasons, that he may "convene his friends for keeping of the same." He could hardly have used this language if he had received notice that only six were to be allowed to attend him.

The real explanation of Foster's letter is to be found, apparently, in the Scottish Statute-book. Some years before Bothwell's trial—namely, in 1555[1]—an Act had been passed prohibiting the pursuer or prosecutor in any criminal case from appearing at the bar with more than four attendants, while *six* were allowed to the accused. If Lennox received formal notice of this statute, it is easy to perceive how the mistake may have originated, and that a prohibition which applied only to the number of friends who were to appear along with him in court, might be taken to apply to the whole of his followers.

The probability appears to be that Lennox, having in reality no evidence to offer against Bothwell, had intended to proceed to Edinburgh with the design of usurping the government in the name of his grandson, the infant prince; but that either his courage failed him at the critical moment, or that his friends refused to follow him in so hazardous an expedition.

A few days before the trial of Bothwell, Murray set out for France. He had no inducement that we

[1] The Act provides that the parties accused "shall have with them at the barre *six* of their maist honest, wise, and substantious friends, able to give councel," &c.; "and the partie persewer of that crime to have with them *foure* of their friends," &c.—Acts of Parliament of Scotland.

are aware of for visiting that country, and we learn that he left Scotland against the wishes both of the French ambassador and of the queen.[1] It is most improbable that she would have opposed his departure if she had been privy to the designs of Bothwell. Whether Murray was aware of them we do not know, but it was remarked that when any dangerous enterprise was about to be attempted he always contrived to be out of the way. We know that the murderers of Darnley had now matured their plans, and we have seen that Murray was on very friendly terms with them at this time. We shall find more conclusive proofs of this as our narrative proceeds.

Before leaving Scotland Murray made his will.[2] He had an only child; and by this deed, which is still extant, he appointed the queen to be, in the language of the day, "*overswoman*, to see all things be handled and ruled for the wellbeing of my said daughter." For weeks before this time the queen had been charged by anonymous libellers as the murderess of her husband. Did Murray believe those slanders to be true, or did he know them to be false? When he left the queen chief guardian of his only child, and that child a daughter, it is impossible to answer the first question in the affirmative; the second the reader must answer for himself.

Before applying to his daughter-in-law to put off the trial, Lennox had written to Queen Elizabeth entreating her to interfere on his behalf. In accordance with his wishes, Elizabeth wrote to her sister queen,

[1] Letter of Drury, without date; Record Office.

[2] It is dated 3d April 1567; Morton Papers, printed by the Bannatyne Club, i. 19.

urging her in the strongest terms to accede to Lennox's request. Whether she wrote from friendly motives, or merely from a desire to embarrass Mary, it is impossible to say. We do not even know whether she received the Queen of England's letter before the trial of Bothwell; but we have, from the messenger who carried it, a very graphic account of the state of Edinburgh on the day when that remarkable event took place.

We learn from Drury that he received the Queen of England's letter on the day before the trial, and that he forwarded it immediately to Edinburgh by the Provost-Marshal of Berwick. The latter arrived at Holyrood at six o'clock on the following morning, but he was told that the queen could not be disturbed at that early hour. He returned again between nine and ten, when Bothwell—who, as well as Huntly and other of the great nobles, had apartments in the palace,—was about to proceed to his trial. Numbers of his retainers were assembled in front of the building, and various opprobrious epithets were applied to the English messenger, who had come, as they believed, "to procure the stay of the assize." At length Maitland and Bothwell made their appearance; "at the which," says Drury, continuing the description of his informant, "all the lords and gentlemen mounted on horseback, till that Lethington came to him demanding him the letter, which he delivered. The Earl Bothwell and he returned to the queen, and stayed there within half an hour, the whole troop of lords and gentlemen still on horseback attending for his coming. Lethington seemed willing to have passed by the provost without any speech, but he pressed

towards him and asked him if the queen's majesty had perused the letter, and what service it would please her majesty to command him back again. He answered that as yet the queen was sleeping, and therefore had not delivered the letter, and that there would not be any meet time for it till after the assize, wherefore he willed him to attend. So, giving place to the throng of people that passed, which was great, and, by the estimation of men of good judgment, above four thousand gentlemen besides others, the Earl Bothwell passed with a merry and lusty cheer, attended on with all the soldiers, being two hundred, all harkebusiers, to the Tolbooth," &c.[1]

In describing from Drury's letter this animated scene, Mr Froude adds two incidents reflecting strongly on the character of the queen. He says, in the first place, that as Bothwell rode off to the Tolbooth, she was seen to give him a friendly nod from a window of the palace; and, secondly, that the earl was mounted on a horse which had belonged to her murdered husband. But in Drury's letter describing the events of this day neither of these circumstances is mentioned. It is in a subsequent letter, without date, and containing a variety of disjointed scraps of scandal, that the incident of the queen's appearance at the palace window is described. We may probably place it, therefore, in the same category with the many groundless calumnies circulated against her at this time. If the incident had been really witnessed by the provost-marshal, it was too significant to have been omitted from the very circumstantial narrative which he furnished of his visit to Holyrood.

[1] See Chalmers, iii. 70.

The still more striking incident of Bothwell riding the horse of his murdered victim to the Tolbooth is mentioned in another of these undated fragments supplied by Drury. If it had been true, we may rest assured that it would not have been lost sight of by the queen's enemies. It was so essentially dramatic in character that it could not have escaped the notice of Buchanan; yet both his History and his 'Detection' are silent on the subject. Equally silent is the Book of Articles produced at Westminster, in which are to be found every calumny which the industry or the invention of her enemies could furnish against the queen.

A more solemn farce than the trial of Bothwell was never acted in a court of justice. One of his accomplices in the murder, Maitland, rode by his side to the Tolbooth. Another accomplice, the Earl of Argyll, hereditary lord-justice, presided at the trial; and the Earl of Caithness, a near connection of Bothwell's by marriage, was chancellor or foreman of the jury.[1] But although sufficiently certain of an acquittal, the Border chief was dispirited and downcast. Although a stranger to fear, it seems he was not proof against remorse. Ormiston, who stood by, plucked him by the sleeve, and urged him in a whisper to hold up his head and look more cheerful. "I would not yet it were to do," was the expressive reply of the guilty man,[2] alluding to the murder of the king. He added,

[1] Keith, ii. 540.

[2] Ormiston's Confession; State Trials, i. 944. It is impossible that Mignet could have read this, or he would not have described Bothwell's demeanour at his trial as follows: "L'accusé, le Comte de Bothwell, se présenta d'un air assuré et confiant devant la cour de justice."—Tome i. 230.

"I have one outgait from it, come what may, and that you shall know belyve."

After the indictment had been read, a retainer of the Earl of Lennox named Robert Cunningham formally protested against the trial being proceeded with. The protest was in writing, and it alleged as the grounds for delay the shortness of the time, and also that Lennox was "denied[1] of his friends and servants, who should have accompanied him to his honour and the surety of his life." To this it was replied by Bothwell's counsel, that Lennox had himself desired "short and summary process" in the matter; and they produced his letters to the queen, and the order of the Privy Council for a speedy trial made in accordance with his wishes. After hearing both parties, the judges decided that the trial should proceed "conform to the laws of the realm." It does not appear how, under the circumstances, they could have come to any other conclusion. Lennox made no complaint as to the shortness of the time until the very day of the trial. To have then postponed it upon grounds directly the reverse of those which he had previously urged, and without the consent of the accused, would have been manifestly absurd.

As no witnesses appeared at the trial, Bothwell was necessarily acquitted. Immediately afterwards, according to the custom of the age, he published a notice challenging to single combat "any one, whether noble

[1] In quoting the protest, Mr Froude takes the liberty of altering this word. He makes Cunningham say that his master was "denuded" of his friends, &c.; implying, no doubt, that they had been prevented attending him by the interference of the queen. The term actually used, "denied" of his friends, clearly meant that his friends had refused to accompany him.—Froude, ix. 47; Keith, ii. 543.

or commoner, rich or poor," who[1] ventured to affirm that he was guilty of the king's murder. No one responded to his challenge, so that he might appeal to the laws of chivalry, as well as to those of his country, in proof of his innocence.

The queen has been generally held reponsible by her enemies for the acquittal of Bothwell. That result may, with far more justice, be attributed to the capricious conduct of Lennox. To have imprisoned, in terms of his demand, so powerful a subject as Bothwell, without a particle of evidence as yet produced against him, would have been a stretch of authority upon which no sovereign of Scotland could have ventured. After Lennox had so rashly made his charge, Bothwell had an obvious right of insisting upon a trial. He knew that the two chief ministers of justice, as well as the secretary, were accomplices in his crime; and with their assistance he could count securely on the result. The intervention of the queen, even assuming her to be guilty, was altogether unnecessary; and there is not, in fact, the smallest proof that she interfered in the matter in any way beyond presiding at the Privy Council at which the trial was ordered to take place.

The Parliament met two days afterwards, and an Act was passed confirming Bothwell, on account of his great services to the Crown, in his grant of the Castle of Dunbar, and of certain adjoining lands. Another important statute was passed, exempting from all pains and penalties the professors of that religion which her "majesty had found standing," and against which she "had attempted nothing"

[1] Les Affaires du Comte de Boduel; Bannatyne Club, 15.

since her arrival in Scotland. This statute is memorable as being the first Act of Toleration passed in any Christian country. It simply recognised the legal existence of the new religion without abolishing the old. The adoption of the latter measure was strongly urged upon the queen[1] by her advisers, all of whom, including Bothwell, were, or professed to be, ardent Reformers. The policy of toleration, to which she had consistently adhered since her arrival in Scotland, was abhorrent to the spirit of the age; and we need not be surprised that she is violently assailed by Buchanan[2] for yielding so little to the demands of the Reformers. It is more surprising that she should be assailed by Robertson[3] for yielding so much; because he assumes, without any kind of proof, that the concessions which she now made were solely due to the influence of Bothwell.

But if we are to judge by the number and the length of the statutes that were passed, the real business of this Parliament was not to establish the new religion, but to secure the murderers of Darnley in their titles and estates. No Parliament had been held since his marriage with the queen; and, as we have already stated, she had not yet attained the full age prescribed by law. Unless, therefore, the grants she had previously made were confirmed by statute, she was still at liberty to revoke them.[4] An opportunity was now afforded to the enemies of Darnley to protect themselves against any such contingency, and they did not fail to make the most of it. Huntly was at

[1] Spottiswoode, ii. 51.
[2] History, book xviii.
[3] History, ii. 205.
[4] Until she attained twenty-five—namely, in December 1567.

length formally restored to his title and estates. Valuable grants of land were made to Sir Richard Maitland, the father of the secretary. Argyll did not share any of the royal bounty; but as he had plundered the Lennox[1] country in the most ruthless manner during Murray's rebellion, there might have been a serious question of restitution if the king had lived. Morton was confirmed, in an elaborate statute, in his titles and estates; and the earldom of Angus, with its vast possessions—to which, as we have already stated, Darnley had claims in right of his mother—was secured to the nephew of Morton, at this time a boy of twelve. Although Murray was absent, he left friends behind him who were sufficiently attentive to his interests, for his earldom was confirmed in a statute eight columns long. Had Darnley remained alive, there might have been a difficulty as to this confirmation; for he had made significant remarks upon the subject on his arrival in Scotland, and since that time Murray and he had never been on friendly terms. As it is, these statutes throw the clearest light on the motives of the conspirators of Craigmillar; and they explain, besides, the inducement which Morton had to join them.[2]

We have additional proof that Murray's interests were carefully attended to, notwithstanding his absence from Scotland. Not content with a special Act of Parliament in his favour, his friends obtained a ratification of the "earldom of Murray and lordship of Abernethy" from the Earl of Huntly, by which that

[1] "Le Comte d'Argueil est entré en armes les terres du Comte du Lenox, où il a pillé et bruslé tout ce qu'il a trouvé."—Paul de Foix to Catherine de Medici, London, 18th September 1565; Teulet, i. 225.

[2] Acts of Parliament of Scotland, 1567.

nobleman renounced all right thereto on the part of himself and his family.[1] There is a further provision in this deed highly illustrative of the manners of the age. On the attainder of the preceding Earl of Huntly in 1563, Murray had shared largely in the plunder of Strathbogie, which was of very great value; but he now obtained from his successor an obligation "in his own name, and for his mother, brethren, and sisters, to warrant and keep scaithless the said Earl of Murray, and Mr John Wood, John Stuart, and his other servants, for whatever goods, jewels, or other things belonging to his father were intromitted with by them."

On the evening of the day upon which Parliament rose—namely, the 19th of April—Bothwell gave an entertainment at a tavern in Edinburgh to a large party of the nobility. After the wine had circulated freely for some time, he laid before his guests a bond, which he asked them to subscribe. This deed stated that it was prejudicial to the realm that the queen should remain a widow; and it recommended him, a married man, as the fittest husband she could obtain among her subjects. With the solitary exception of the Earl of Eglinton, who contrived, in the language of Cecil's copy, "to slip away," all who were present signed this infamous bond, and thereby bound themselves to "further advance and set forward the said marriage," and to risk their lives and goods against all who should seek to hinder or oppose it.

It is a question whether Murray signed this celebrated bond; and as the point is one of obvious

[1] See Laing, ii. 98. This deed is dated the 18th April, the day before the Parliament rose.

interest, we are induced to suspend our narrative while we examine the evidence upon which the charge has been made by his opponents and disputed by his friends.

It appears that, during the conferences at Westminster in December 1568, a copy of the bond was sent to Cecil; but it was sent—and the circumstance is suspicious—without the names of those who had signed it. The person who carried the bond to Cecil was one John Read, a clerk or secretary of Buchanan, and Read supplied from memory the missing names to the English minister. Cecil was no doubt curious to ascertain them, and probably the more so from the attempt at concealment on the part of Murray and his associates. On the copy of the bond still preserved among Cecil's papers in the Cotton Library, we find, accordingly, the following memorandum: "The names of such of the nobility as subscribed the band, so far as John Read might remember, of whom had this copy, being in his own hand, being commonly called in Scotland Aynslie's supper." The names are then written down as follows: "Earls of Murray, Argyll, Huntly, Cassilis, Morton, Sutherland, Rothes, Glencairn, and Caithness; Lords Boyd, Seton, Sinclair, Semple, Oliphant, Ogilvy, Rosse Hacat, Carlyle, Herries, Hume, and Innermeith." On the same page is added, "Eglinton subscribed not, but slipped away."[1]

The name of Murray is the very first in the list; but it is contended that this must be a mistake, first, because Murray was not in Scotland at the time; and, secondly, because in another copy of the bond

[1] Cotton MS.; Caligula, c. i. p. 1.

contained in the Scots College at Paris, and authenticated by Sir James Balfour, Murray's name does not appear.

But to these objections it may be answered that Murray might have signed the bond before he quitted Scotland, or that he might have authorised some one to sign it for him. We know that he was on friendly terms with Bothwell's supporters—Huntly, Morton, and the rest; and his consent to the marriage may have been the price which he paid for the confirmation of his earldom and the renunciations of Huntly. No argument in Murray's favour can be drawn from the nature of the bond; for we know that he had been the first to sign the bond for the murder of Riccio, a more nefarious act, when its ulterior objects are considered, than even his consent to his sister's marriage with Bothwell. As to the Paris bond, the very fact of its verification by Balfour is sufficient to raise the strongest doubts as to its authenticity.

It is hardly necessary to observe that the copy of the bond preserved in the Cotton Library comes from Murray's own friends, of whom Cecil was ever one of the most constant. Buchanan, too, was at the time a dependant of Murray, and Read was a dependant of Buchanan. We may fairly infer, therefore, that Read made his copy from the original bond; and if so, it is incredible that he should have made a mistake as to the very first name in the list—namely, that of Murray, the then Regent of Scotland. It is equally incredible, had the original been withheld from him, that he would have run the risk of making the regent his enemy, by putting down his name at haphazard without any intelligible motive for so doing.

Admitting that the evidence is not conclusive, it is impossible to deny, considering the sources whence it comes, that the balance is strong against Murray.

Mr Froude[1] denies that Morton was a party to the bond. He says that that nobleman "can be proved distinctly not to have signed it," and he quotes a letter of Drury in proof of this assertion. But we have better evidence than that of Drury on the subject—namely, that of Morton himself. In the confession which he made before his execution he said: "After the Earl Bothwell was cleansed by an assize, sundry of the nobility and I subscribed also a bond with the Earl Bothwell, that if any should lay the king's murder to his charge, we should assist him in the contrary; and thereafter I subscribed to the queen's marriage[2] with the Earl Bothwell," &c. We find, accordingly, that Morton's name appears both in Cecil's copy of the bond and in that preserved in Paris.

No sooner was the bond signed for the marriage of the queen than the curtain rises upon a fresh scene of iniquity. "Although," says Tytler,[3] "the names of Morton and Argyll were affixed to the bond, these two personages, in conjunction with the Earl of Atholl and Kirkaldy of Grange," were at the very time organising a party for the overthrow of Bothwell. Avarice was the ruling passion of Morton; and having recovered his estates, and the great Angus succession for his nephew, he had nothing more to look for either from Bothwell or from the queen. Argyll, through the death of Darnley, had secured himself against any claim of restitution on the part of the Lennoxes. As

[1] Vol. ix. 53, note.
[2] State Trials, i. 951.
[3] History, vii. 104.

for Atholl, he had been no party to the bond; and, as a rigid Catholic, he was no doubt opposed to the queen's marriage with a Protestant. Kirkaldy of Grange was a mixture of fanaticism and chivalry, by no means rare at the era of the Reformation. Twenty years before he had taken an active part in the murder of Cardinal Beaton, and six years later he cheerfully laid down his life in the then desperate cause of Mary Stewart. For his share in Beaton's death he had been rewarded with an English pension; and he was employed at this time by the chiefs of the new coalition to prepare the English Government for the coming revolution, and to seek its aid in bringing it about. Kirkaldy was not present at "Ainslie's supper;" but on the day immediately following we find him writing to the Earl of Bedford, assuring him that if the Queen of England would pursue for the revenge of "the late murder, she shall win thereby all the hearts of all the best in Scotland." Kirkaldy then informs Bedford of the bond signed at Ainslie's supper on the previous night, and adds that the Queen of Scots was so "shamefully enamoured of Bothwell that *she had been heard to say* she cared not to lose France, England, and her own country for him, and shall go with him to the world's end in a white petticoat," &c.[1] This is quite in keeping with the slanders that were so industriously circulated by the queen's enemies at this time. These slanders, it will be observed, are never given on the authority of eyewitnesses. They are always reported upon hearsay, and the names of the actual informants are carefully concealed. If Kirkaldy had said that he himself had heard this notable speech

[1] Quoted by Tytler, vii. 104.

of the queen, we should have believed him, for he appears to have been a man incapable of wilful falsehood. As it is, we place it in the same category as the stories supplied to Drury by his nameless Edinburgh correspondents.

On the 21st of April the queen set out for Stirling to visit the infant prince. She was accompanied by her chancellor, Huntly; her secretary, Maitland; and Sir James Melvill. If we are to believe her enemies, she undertook this journey for the express purpose of poisoning her son. What conceivable motive she could have had for such an act they have not explained; but having begun the work of calumny, they were resolved, apparently, to shrink from nothing. The particulars of this alleged attempt on the life of the infant prince we learn from Sir William Drury.

"At the queen's last being at Stirling," he says, "the prince being brought unto her, she offered to kiss him, but the prince would not, but put her face away with his hand, and did to his strength scratch her. She took an apple out of her pocket and offered it, but it would not be received by him; but the nurse took it, and to a greyhound bitch having whelps the apple was thrown. She ate it, and she and her whelps died presently. A sugar-loaf also for the prince was brought thither at the same time, and left there for the prince, but the Earl of Mar keeps the same. It is judged to be very evil compounded."[1]

It is to be observed that Drury does not upon this occasion speak of rumours. He narrates as facts the incidents which he describes; and the determi-

[1] Quoted in Froude, ix. 63.

nation of the queen to destroy her child is evinced by the circumstance of her carrying to Stirling a poisoned cake as well as a poisoned apple. One thing, however, is clear, that, even according to the testimony of her enemies, Mary Stewart, whatever may have been her accomplishments or her crimes, was no adept in the art of poisoning. Buchanan says that she twice gave poison to her husband without the desired effect, and her attempts upon her son, according to Drury, were equally unsuccessful.

The whole story is too ludicrous for serious comment, nor can we for a moment suppose that it was received as genuine by Elizabeth and her sagacious minister. They knew that raw apples were a kind of food not likely to tempt an infant at the breast, and still less likely to be devoured by a greyhound. But in an age of bigotry and ignorance, the details furnished by Drury were well calculated to prejudice the multitude against the queen; and it was with this object, no doubt, that the story was invented and put in circulation.

The queen left Stirling on the 23d of April, and spent that night at her birthplace, the Palace of Linlithgow. On the following day, when on the road to Edinburgh, she was stopped by Bothwell, who suddenly made his appearance at the head of 1000 horse. Mr Froude says that her guard flew to her side to defend her; but that, "with singular composure, she said she would have no bloodshed: her people were outnumbered, and rather than any of them should lose their lives she would go wherever the Earl of Bothwell wished."[1]

[1] Vol. ix. 64.

But this is the speech, not of the Queen of Scots, but of Mr Froude, who has put it into her mouth for the obvious purpose of leading his readers to conclude that she was an accomplice in the designs of Bothwell.

We have, in fact, no account of what was said on this occasion except from the queen herself. She says that when the earl rode up, he assured her, with all respect, that "she was in the greatest possible danger,"[1] and that he forthwith escorted her to one of her own castles. Assuming that she was ignorant of the plot, nothing would have been easier for Bothwell than to induce her to believe that it was unsafe at that time for her to enter Edinburgh. She had been warned a very short time before by her ambassador in Paris that some fresh danger threatened her, and it was the duty of Bothwell, as sheriff of the county, to find the means of providing for her safety. A pretended plot of the Lennoxes, or an apprehended tumult of the people, might in that turbulent age have afforded a ready and a very plausible pretext for his interference.[2]

[1] See the memorial addressed by her to the princes of Christendom from Carlisle.—Labanoff, vii. 318.

[2] A question has arisen as to the place where the seizure took place. In an Act passed by the queen's enemies on the 15th of December following it is stated that the queen was intercepted by Bothwell at "Foulbriggs;" and Miss Strickland maintains with much ability that this was "Fountainbridge," a spot which is within a few hundred yards of the "West Port," or western gate of Edinburgh.—See Lives of the Queens of Scotland. Mr Robert Chambers, on the other hand, indicates a spot near the river Almond, some six or seven miles distant from Edinburgh, as the place of the seizure, and the evidence which he adduces in support of his view seems to be all but conclusive.—See Domestic Annals of Scotland, i. 42, note. He says: "It is, perhaps, of all places on the road from Linlithgow to Edinburgh, that which Bothwell might be expected to choose, if he had

The enemies of the queen seem to have been themselves of opinion that further evidence of her complicity in the seizure was wanting, and they produced, accordingly, at Westminster, three letters, which they allege were written by her to Bothwell immediately before that event. If we admit these letters to be genuine, the fact is proved beyond dispute.

The first of the letters, alleged to have been written from Stirling, is to the following effect:—

LETTER No. 6.

Alas! my lord, why is your trust put in a person so unworthy, to mistrust that which is wholly yours? I am mad. You had promised me that you would resolve all, and that you would send me word every day what I should do. You have done nothing thereof. I advertised you well to *take heed of your false brother-in-law.* He came to me, and without showing *me anything from you,* told me that you had willed him to write to you that I should say where and when you should come to me, and that that you should do touching him, and thereupon hath preached unto me that it was a foolish enterprize; and that with mine honour I could never marry you, seeing that, being married, you did carry me away; and that his folks would not suffer it, and that the lords would unsay themselves, and would deny that they had said. *To be short, he is all contrary.* I told him that, seeing I was come so far, if you did not withdraw yourself of yourself, that no persuasion, nor death itself, should make me fail of my promise. As touching the place, you *are too negligent* (pardon me) *to remit yourself thereof unto me.* Choose it yourself, and send me word of it. And in the mean time I am sick, I will differ, as touching the matter it is too late. It was not long of me that you have not thought thereupon in time; and if you had not more changed your mind since

been in no collusion with the queen and anxious to take her at advantage." The place seems to lie between two bridges, one of which crosses the Almond and the other the Gogar Burn.—See Appendix G.

mine absence than I have, you should not be now to ask such resolving. Well there wanteth nothing of my part; and seeing that your negligence doth put us both in the danger of a false brother, if it succeed not well, I will never rise again. I send this bearer unto you, for I dare not trust your brother with these letters, nor with the business. He shall tell you in what state I am, and judge you what amendment these new ceremonies have brought unto me. I would I were dead, for I see all goeth ill. You promised other manner of matter of your foreseeing; but absence hath power over you, who have two strings to your bow. Despatch the answer that I fail not, and put no trust in your brother for this enterprize, for he hath told it, and is also quite against it. God give you good-night.[1]

I have marked several passages in italics, to which the reader's attention is invited.

In the first place, it is remarkable that Huntly, who had taken so active a part in promoting the queen's marriage with Bothwell, who, as is alleged, drew up the contract of the 5th of April with his own hand, and who afterwards was one of the first to sign the bond at Ainslie's supper, should now, as the queen expresses it, be "all contrary." It is still more remarkable, if, as the queen's enemies allege, the plan of the seizure was preconcerted, she should have left Edinburgh without knowing where, when, and how the plot was to be executed. This letter is alleged to have been written on the very day upon which she left Holyrood, where Bothwell then was, and who probably witnessed her departure in the morning; yet it would appear that nothing had been settled. Bothwell requests her to arrange the matter with Huntly—who, it is to be observed, is said to be entirely opposed to the scheme

[1] Detection, 147.

—and then Huntly is to communicate with him. It is inexplicable why the matter should have been left in this state of perilous uncertainty when Bothwell had ample opportunity of arranging everything personally with the queen before she quitted Edinburgh. Finally, it is to be observed that the queen's letter still leaves everything unsettled; for instead of complying with Bothwell's request of fixing the time and place of seizure, she desires him to do so instead. There is a want of settled purpose exhibited in all this, which the queen's enemies themselves, upon due consideration, appear to have thought improbable. Accordingly, Buchanan in his History does not hesitate to give a flat contradiction to this and the succeeding letters; for he expressly states, as common-sense would suggest, that before leaving Edinburgh she had fully arranged with Bothwell the plan and the place of the seizure.[1]

The next letter, also said to have been written from Stirling, is to the following effect:—

LETTER No. 7.

Of the place and the time I remit myself to your brother and to you. I will follow him, and will fail in nothing of my part. He findeth many difficulties. I think he doth advertise you thereof; and what he doth advertise you for the handling of himself. As for the handling of myself, I heard it once well devised. Methinks that your services, and the long amity having the goodwill of the lords, do well deserve a pardon, if above the duty of a subject you advance yourself not to constrain me, but to assure yourself of such place nigh unto me, that other admonitions or foreign persuasions may

[1] "*Antequam Edinburgo discessisset,* cum eo transegerat, ut ipse revertentem ad Almonis pontem eam raperet, ac secum quo vellet, velut per vim abduceret."—Hist., lib. xviii.

not let me from consenting to that that you hope your service shall make you one day to attain; and to be short, to make yourself sure of the lords, and free to marry; and that you are constrained for your surety, and to be able to serve me faithfully, to use an humble request, joined to an importune action. And to be short, excuse yourself, and persuade them the most you can that you are constrained to make pursuit against your enemies. You shall say enough if the matter or ground do like you, *and many fair words to Lethington.* If you like not the deed, send me word, and leave not the blame of all unto me.[1]

This letter is almost a repetition of the former one. Everything is still unsettled, and Huntly as averse to the project as ever. But there is one passage in it deserving of especial attention. Bothwell, it will be seen, is desired to give "many fair words to Lethington." If the letter is genuine, this passage is unaccountable; for Lethington was at this time not with Bothwell in Edinburgh, but with the queen herself in Stirling. He accompanied her thither along with Huntly and Sir James Melvill, and with her they were all three carried off by Bothwell to Dunbar.[2] It may be said, on the supposition that the letter is forged, that the forger could not have committed so palpable an absurdity. But this is not the only example of carelessness which these letters exhibit; and it is to be observed, with reference to this point, that they were never subjected to any judicial examination in Scotland, where such discrepancies might have been easily detected. They were only exhibited

[1] Detection, 148.

[2] See Melvill's Memoirs, 80; and with this the Journal of Murray agrees: "April 24, he," meaning Bothwell, "met hir upon the way, seemit to ravish her, and tuik Huntly and the secretarie prisoneris," &c.—See Appendix D.

to Queen Elizabeth's commissioners in England, who were necessarily ill informed upon matters of detail, and who naturally confined their attention to the leading circumstances before them.

The last letter of the series, also alleged to have been written from Stirling, is as follows:[1]

LETTER No. 8.

My Lord,—Since my letter written, your brother-in-law *that was* came to me very sad, and hath asked me my counsel what he should do after to-morrow, because there be many folks here, and among others the Earl of Sutherland, who would rather die, considering the good they have so lately received of me, than suffer me to be carried away, they conducting me; and that he feared there should some trouble happen of it; of the other side, that it should be said that he were unthankful to have betrayed me. I told him that he should have resolved with you upon all that, and that he should avoid, if he could, those that were most mistrusted. He hath resolved to write thereof to you of my opinion, for he hath abashed me to see him so unresolved at the need. I assure myself he will play the part of an honest man; but I have thought good to advertise you of the fear he hath that he should be charged and accused of treason, to the end that, without mistrusting him, you may be the more circumspect, and that you may have the more power; for we had yesterday more than three hundred horse of his and of Livingston. For the honour of God be accompanied rather with more than less, for that is the principal of my care. I go to write my despatch, and pray God to send us an happy interview shortly. I write in haste, to the end you may be advised in time.

In the first sentence of this letter, the queen, speaking of Huntly, calls him Bothwell's "*brother-in-law that was.*" The obvious inference is, that it was

[1] Detection, 149.

written after Huntly had ceased to be brother-in-law to Bothwell—that is, after Bothwell had been divorced from his wife. But Bothwell and Huntly's sister were still man and wife at this time. No steps had yet been taken for the divorce; and it is impossible to explain how the queen, writing at this time, should have committed so palpable an anachronism. But it is quite conceivable that a forger, writing *after the event*, might have made a slip of this kind, which, like the reference to Lethington, might not have been noticed at the time.

Some other portions of this letter are quite unintelligible. The queen speaks of the Earl of Sutherland, whose attainder had just been reversed by Parliament, and of Lord Livingstone, being with her at this time. But the only persons of rank mentioned either by Melvill or by Murray[1] as being in attendance upon the queen at this time were Huntly and Maitland, both of whom, we know, were carried off to Dunbar along with her. We hear nothing of the Earl of Sutherland; but if a nobleman of his consequence had been present at the seizure, it could hardly have failed to have been mentioned by some contemporary writer.

This letter is the third alleged to have been written from Stirling by the queen to Bothwell in the space of four-and-twenty hours. There is nothing to show that in the interval Bothwell wrote once to her. The Stirling letters, therefore, like the Glasgow letters,

[1] See the Journal, Appendix D. The 'Historie of King James the Sext' says (p. 14) that the queen, when intercepted by Bothwell, was accompanied with "the noble Earle of Huntlie and Secretar Maitland of Lethington."

indicate upon his part an amount of indifference utterly inconsistent with the dangerous and criminal schemes in which we know he had embarked. There is another point of resemblance between the Stirling and the Glasgow letters which is deserving of attention. Of the versions which we possess of both sets of letters, the Scotch is unquestionably the original. As this is a point upon which two such bitter disputants as Whitaker and Laing are both agreed, it is unnecessary to trouble the reader with a repetition of the proofs adduced by both these able but passionate partisans.[1]

We have now laid before the reader the whole of the letters produced against the Queen of Scots; and the conclusion at which we arrive is, that as those from Glasgow were forged to prove her complicity in the murder, so those from Stirling were forged to prove that she was a party to Bothwell's plot for carrying her away. The three intermediate letters contain no proofs of guilt; and the originals being in French, there are strong reasons for believing that they are genuine productions addressed to Darnley, and that they were, for obvious reasons, mixed up with the spurious French versions of the Scotch letters exhibited at Westminster.

It is to be observed that, while the Glasgow and the Stirling letters contained the precise evidence which was necessary to criminate the queen, it also furnished the best justification of her accusers in depriving her subsequently of her crown. How they became possessed of this important correspondence we shall hear from themselves as our narrative proceeds; but we

[1] Whitaker, ii. 315 *et seq.*; Laing, i. 311.

need hardly say that the testimony of such men upon such a subject is to be received with the utmost caution. We know that they had been previously guilty both of treason and murder; we can therefore readily believe them to be capable of the lesser crime of forgery, in case they deemed it essential to the success of their designs.

Mr Burton, in his recent excellent 'History of Scotland,' has made some remarks upon this point which are deserving of notice. He says: "If Queen Mary is entitled to the benefit of all doubts, the confederate lords who brought the charges and evidence against her are entitled to the benefit of all doubts to protect their character from the stigma of conspiracy."[1]

The position of Mr Burton, therefore, is, that the accusers and the accused stood towards each other on a footing of moral equality; but this cannot be admitted. The reputation of Mary, as we know, both from the letters of the foreign ambassadors and from the proceedings of the English Parliament, was certainly unblemished down to the period of Darnley's death. But what was the character at this time of the confederates, or rather of their acknowledged chiefs, Maitland and Morton? To the first, political intrigue was a necessity of existence. He was a conspirator from the time when he abandoned and betrayed Mary of Lorraine until he finished his career by a voluntary death, to avoid the ignominy of the gallows, to which his former confederate Morton would certainly have consigned him. With regard to Morton, we know he had been leagued with the assassins both of Riccio and Darnley, and we know that he was universally believed to be

[1] Vol. iv. 444.

capable of any crime.[1] If a person possessing an unblemished character were accused before any tribunal in the world upon written evidence only produced by such men, could there be a doubt as to the result?

[1] Of all the crimes of Morton, his delivering up the Earl of Northumberland, who had fled to Scotland after the northern rebellion of 1569, seems to have made the deepest impression on his countrymen. The account of this transaction is thus related in the contemporary 'Historie of King James the Sext:'—

"In the moneth of May the Earle of Northumberland was randerit to the Queene of Ingland, furth of the Castell of Lochlevin, be a certain condition maid betwix hir and the Earle of Mortoun for gold; quilk was thankfullie payit to Mortoun befoir that the prisoner was enterit within Inglish grund, and he was beheidit at hame like a traitor. This was unthankfullie rememberit; for quhen Mortoun was banisht from Scotland, he fand na sic kynd man in Ingland unto him as this earle was. Bot how God payit him for his unthankfulness shall be reported thereafter."—P. 175.

CHAPTER VIII.

THE MARRIAGE OF THE QUEEN OF SCOTS TO BOTHWELL.

It may be readily perceived that, notwithstanding her fine intellect and high spirit, Mary Stewart possessed none of that deep knowledge of her fellow-creatures which is requisite for those who would tread successfully the slippery paths of ambition. Her frank and open temper led her, for the most part, to

"Think men honest that but seem to be so;"

and she thus at times evinced a certain facility of disposition which seems at first sight irreconcilable with the intelligence and firmness which she displayed on every great emergency. But nature is rarely uniform. In the presence of open enemies her resolution and her ready wit never failed her. Throgmorton, Knox, Cecil himself—she was a match, and more than a match, for them all. But against treacherous friends she was defenceless. Ever too readily won by professions of attachment, it was her bitter lot through life to be again and again deceived by those to whom she was most lavish of her confidence. Her brother first, and then her husband, repaid her bounty and her affection by conspiring against her crown. And she was destined to be still more fatally deceived. The great services

of Bothwell induced her to rely upon his loyalty, but it was with serious injury to her reputation. The fair words of Elizabeth induced her to trust to the friendship of her sister queen, but it was at the cost of her life.

Is the irreparable error which Mary now committed to be attributed to this inherent and obvious defect of character, which induced her to place such unbounded faith in others? or was it the result, upon her part, of deep-laid, long-planned wickedness? Of the latter we have shown that there is no proof. But it cannot be denied that the conduct of the Queen of Scots at this critical period of her history is open to grave suspicion. It cannot be denied that she resided for upwards of a week at the Castle of Dunbar, under the same roof with Bothwell, and that in the interval she consented to become his wife.

If such an occurrence were to happen at the present day, we should naturally conclude that the whole affair had been preconcerted; but in Scotland, in the sixteenth century, the exorbitant power of the great nobles rendered any enterprise hopeful which was conducted with sufficient daring. It is but fair, therefore, before we condemn her, to listen to her defence. We may add, that her ablest advocates have failed to improve upon the simple narrative which she herself has given of her fatal visit to Dunbar.

After referring to the great services and unshaken loyalty of Bothwell, she says that previous to her visit to Stirling he had made certain advances, "to which her answer was in no degree correspondent to his desire;" but that, having previously obtained the consent of the nobility to the marriage, he did not hesi-

tate to carry her off to the Castle of Dunbar; that when she reproached him for his audacity, he implored her to attribute his conduct to the ardour of his affection, and to condescend to accept him as her husband, in accordance with the wishes of his brother nobles; that he then, to her amazement, laid before her the bond of the nobility, declaring that it was essential to the peace and welfare of the kingdom that she should choose another husband, and that of all her subjects Bothwell was the best deserving of that honour; that she still, notwithstanding, refused to listen to his proposals, believing that, as on her former visit to Dunbar, an army of loyal subjects would speedily appear for her deliverance, but that, as day after day passed without a sword being drawn in her defence, she was forced to conclude that the bond was genuine, and that her chief nobility were all in league with Bothwell; and finally, that, finding her a helpless captive, he assumed a bolder tone, and "so ceased he never till by persuasion and importunate suit, *accompanied not the less by force,* he has finally driven us to end the work begun."[1]

Such was in substance the apology made by the Queen of Scots to her relations in France for her hasty marriage with Bothwell; and if she was not a party to the plot, it is not easy to see how she could have extricated herself from the snare thus artfully prepared for her. That she was a prisoner at Dunbar we learn from Melvill, the only one of her attendants

[1] Keith, ii. 599. This obscure expression has given rise to much conjecture, and it has been supposed, not without reason, that the queen was induced by actual violence to consent to become the wife of Bothwell. It must be admitted that her subsequent conduct, as described by Du Croc and Melvill, is quite consistent with this fact.

who was not in the plot. He was sent away on the day following the capture; and he says that Bothwell boasted that he would marry the queen, even "whether she would herself or not." There remained in the castle, after Melvill left, Huntly, Maitland, and Lady Coldingham, a sister of Bothwell, all devoted to his interest at the time, and who all, no doubt, seconded his suit to the utmost of their power. To whom, then, could the queen look for assistance? All the leaders of Murray's faction, and most probably Murray himself, were parties to the bond. The Archbishop of St Andrews,[1] the real chief of the house of Hamilton, it was also rumoured at the time, had his own motives for encouraging a marriage which promised to ruin both Bothwell and the queen. The one was their ancient enemy; and the other, with her infant son, alone stood between them and the Scottish crown. "The Hamiltons," says Drury, in a letter to Cecil, "are furtherers of the divorce" (between Bothwell and his wife), "hoping," he adds, "to attain the sooner to their desired end."[2]

All the most powerful families in Scotland, therefore, were, from one motive or another, abetting Bothwell in his criminal enterprise. Many of the lesser nobles and gentry would no doubt have readily interfered to avert the disgrace which was about to befall their queen, but without the leadership of one or other of the great houses they did not dare to stir. From the inhabitants of the towns least of all, could the queen hope for sympathy. They had heard her denounced by their preachers as an idolatress ever

[1] John Hamilton, brother of the Duke of Chatelherault.
[2] May 2; Record Office.

since her return to Scotland; and the calumnies of the last three months, so industriously circulated by her enemies, had led them to suspect that she was something worse. It is acutely remarked by Lord Hailes, who was no partisan of the Queen of Scots, that at Dunbar "she was reduced to this horrid alternative—either to remain in a friendless and most hazardous celibacy, or to yield her hand to Bothwell."[1]

If she was innocent, never was woman placed in a more cruel situation: if she was guilty, it is impossible to explain the reason for the forcible abduction. Laing says that it was intended to furnish an excuse for her precipitate marriage; but if, as her enemies assert, she was already the mistress of Bothwell, where was the motive for such extraordinary haste? If it is said that the violence of her attachment to Bothwell rendered her blind to all consequences, we may remark that all such allegations came from her enemies. We have no independent testimony on the subject; but we have undoubted proof that on the day of her marriage, within three weeks of her abduction, Mary Stewart was the most miserable of women. Such a state of things was utterly inconsistent with any real attachment. It is entirely consistent with her own account of the matter—namely, that she was forced by uncontrollable circumstances to assent to this fatal marriage.

Amid these scenes of unfathomable villany we are inexpressibly relieved by the appearance of an honest man. After Bothwell had in the space of a few days obtained a divorce from his wife from the Archbishop of St Andrews on the ground of con-

[1] Remarks on the History of Scotland, 204.

sanguinity,[1] and from the Protestant consistorial court on the ground of adultery upon his part, he applied to John Craig, one of the ministers of Edinburgh, to proclaim the banns of marriage between him and the queen; but Craig positively refused to do so. In consequence of his refusal, Bothwell, who had by this time conducted the queen from Dunbar to Edinburgh, caused him to be summoned before the Privy Council. But Craig had the courage to justify his conduct in the presence of Bothwell himself; nor would he consent to proclaim the banns until he received an express mandate from the lord justice-clerk to that effect. He did at length proclaim them, but under the most public and solemn protest. "I took heaven and earth to witness," he says, "that I abhorred and detested that marriage as odious and scandalous to the world; *and seeing the best part of the realm did approve it either by flattery or by their silence,* I desired the faithful to pray earnestly that God would turn to the comfort of the realm that which was done against reason and good conscience."[2] The testimony of this witness confirms the important fact that Bothwell had contrived to obtain the express or tacit assent to his marriage of all the leading men in Scotland. It is further to be observed that not one of the nobles who afterwards took part against the queen ever asserted that they had in any way expressed their disapproval of her marriage with Bothwell. If they had done so, we cannot believe that they would have remained silent on a point which would have reflected additional discredit on the queen.

[1] They were cousins in the fourth degree.—See Keith, ii. 574, note.
[2] Anderson, ii. 280.

It is indeed stated by Melvill in his Memoirs that Lord Herries, upon hearing that the queen intended to marry Bothwell, hastened to Edinburgh with a number of followers, and implored her upon his knees not to take this fatal step; but this story is inconsistent with the fact that Herries was in Edinburgh at the time, and signed the bond at Ainslie's supper. We learn, indeed, from the public records,[1] that Herries was at this time so steadfast an adherent of Bothwell that no credit can be attached to the incident so dramatically described by Melvill.

Another circumstance described by Melvill is more worthy of attention, as he professes to speak on the subject from personal knowledge. He says that a partisan of the Queen of Scots named Thomas Bishop, who resided in England, wrote to him in the strongest terms against the projected marriage, and that he showed the letter to the queen. He adds that after reading it she spoke both to Maitland and Bothwell on the subject, but that it produced no effect except to irritate the latter to such a degree that he threatened Melvill's life. Melvill describes this incident as having happened before the queen's visit to Dunbar; but we know that he wrote his Memoirs in his old age, long after the events which he describes, and that he makes numerous mistakes both as to dates and circumstances, but particularly as to the former.[2] Now

[1] He was a witness to the contract of marriage between the queen and Bothwell on the 14th of May, and on the 17th he attended a Privy Council at which Bothwell presided.—Goodall, ii. 61.

[2] For example, he represents Mary's visit to Jedburgh as having taken place after the baptism of the prince.—Memoirs, 77. He says that Dalgleish was taken prisoner in Orkney in the autumn of 1567, whereas we know that he was arrested in Edinburgh in June.—P. 85. These and similar mistakes have led some writers to reject the autho-

the project of the marriage could not have been known in England before the receipt of Kirkaldy's letter communicating the fact of the signing of the bond at Ainslie's. No letter written in consequence of that information from England could have reached Edinburgh until after the queen's visit to Dunbar, when any remonstrance was of course too late.

In the midst of the preparations for the marriage, we find that the very men who had done their utmost to promote it were earnestly begging assistance from the Queen of England, not to enable them to prevent it, but to enable them to rebel against their sovereign as speedily as possible after its celebration. On the 7th of May, Sir Robert Melvill, the brother of Sir James, who was at this time implicitly trusted by the Queen of Scots, writes secretly to Cecil, requesting him to burn the letter, that France had offered to assist "the honest sort" of his countrymen with men and money, but that they should much prefer relying on the friendship of the English queen.[1]

On the following day, the 8th of May, Kirkaldy of Grange writes in more explicit terms to the Earl of Bedford. The letter is a very remarkable one.

Kirkaldy commences by stating that "the most part of the nobility, for fear of their lives," had consented to sundry things both against their honour and conscience—alluding to their approval of the queen's marriage. The absurdity of this excuse is proved by

rity of these Memoirs altogether.—See Guthrie's History of Scotland. My own impression is, to give credit to Melvill when he relates matters within the scope of his own knowledge and observation.

[1] Tytler, v. 407. This alleged offer of assistance on the part of France was altogether untrue, as we learn from Du Croc's subsequent despatches.

the fact that those who made it afterwards thought fit to put forward another in its place; but it is quite possible that it may have imposed upon Kirkaldy at the time. He then goes on to say that these same nobles who had given their assent to the marriage had met at Stirling, where they had made a fresh "band to defend each other in all things that shall concern the glory of God and commonweal of their country. The heads that presently they agreed upon is first to seek the liberty of the queen, who is ravished and detained by the Earl of Bothwell. The next head is the preservation and keeping of the prince. The third is to pursue them that murdered the king." This formal declaration of the objects of the confederates is worthy of note; for we find that when the queen fell into their hands a very short time afterwards, they not only did not set her at liberty, but they treated her as no prisoner of her rank had ever before been treated. We find, further, that when they might have easily taken Bothwell they allowed him to escape.

Kirkaldy then goes on as follows: "For the pursuit of these three heads they [the confederate lords] have promised to bestow their lives, lands, and goods. And to that effect their lordships have desired me to write unto your lordship, to the end they might have your sovereign's aid and support for suppressing of the cruel murtherer Bothwell." He then gives the names of nine earls as the leaders of the coalition, of whom five—namely, Argyll, Morton, Glencairn, Cassilis, and Caithness—had signed the bond for the marriage of the queen with Bothwell some three weeks before.

There is a postscript to Kirkaldy's letter showing

that Murray, although absent from Scotland, was in active correspondence with the leaders of his faction, who were prepared to send him notice whenever his presence should be required. "It will please your lordship," says Kirkaldy in this significant passage, "to haste the other letters to my Lord of Murray; and write unto him to come back into Normandy, that he may be in readiness against my lords write unto him."[1]

Elizabeth, although no doubt gratified at the prospect of her rival's ruin, peremptorily refused to give any countenance to the new confederacy. She had lost both credit and money by her last interference in Scottish affairs, and she was determined to be more careful for the future. She even expressed herself in terms of the severest reprobation respecting the tone of Kirkaldy's letters, and the language which he applied to the Queen of Scots. If Elizabeth had believed, which is very probable, that her sister queen was the innocent victim of the most groundless accusations, she could not have expressed herself in terms more just.

On her marriage with Darnley, Mary had bestowed on him the title of king. If her attachment to Bothwell had been as extravagant as her enemies assert, we should have expected that an honour equally great would have been conferred upon him; but to Bothwell the title of king was never accorded, although it cannot be doubted that it was to obtain a crown that that daring man had embarked in his career of crime. It was further provided in their marriage-contract, that he should undertake no public business, and bestow no gift, privilege, or place, without her concurrence.[2]

[1] Tytler, v. 409.

[2] See Appendix E.

The marriage took place on the 15th of May, Bothwell having been previously created Duke of Orkney.

There were present at the ceremony the Primate of Scotland; his nephew, Lord John Hamilton, Abbot of Aberbrothwick; the Bishops of Dunblane and Ross, and the following noblemen—namely, the Earls of Crawford, Huntly, and Sutherland; the Lords Oliphant, Fleming, Livingstone, Glammis, and Boyd; together with "certain small gentlemen"—to quote the words of the contemporary chronicler—"who waited upon the Duke of Orkney."[1] Mr Froude, notwithstanding this testimony, asserts upon his own authority, for he gives no other, that not a single nobleman attended the marriage.[2]

There was one important personage who resolutely refused to attend the marriage, and that was Du Croc, the French ambassador; but he waited on the queen the same day, and his testimony as to her demeanour at this time is of the highest value. He found her in a state of deep dejection, and she told him with the utmost earnestness that she only longed for death.[3] The testimony of Du Croc is confirmed by Melvill[4] in language still more emphatic. What was the cause of her unhappiness? She could not have been aware at this time of the atmosphere of treachery in which

[1] Diurnal of Occurrents, 111, 112.

[2] "Not a single nobleman was present. Huntly, Crawford, Fleming, Boyd, Herries, were all in Edinburgh, but they all held resolutely aloof."—History, ix. 74.

[3] "I perceived," says Du Croc, "a strange formality between her and her husband, which she begged me to excuse, saying that if I saw her sad, it was because she did not wish to be happy, as she said she never could be, *wishing only for death.*"—Keith, ii. 588, note.

[4] Memoirs, 81.

she was living. She did not know that her most trusted servant, Robert Melvill, was in correspondence with her worst enemies in England. She did not know that Maitland, who had done his utmost to promote her marriage, was now secretly playing the game of the Stirling confederates. She had saved his worthless life at Dunbar,[1] where Bothwell would have slain him on the spot, doubtless, on the discovery of his treachery; and she thus preserved for her enemies by far their ablest leader. But none of these things will account for the wretchedness of the queen upon her wedding-day.

How can we reconcile the despair which she then exhibited with her alleged passionate love for Bothwell? The mother of Hamlet had committed the very crimes which are charged against Mary Stewart. She had been an accomplice in the murder of her husband, and she had married the murderer. What should we have thought if Shakespeare had represented her as a miserable broken-hearted woman upon her wedding-day? But the great master of human emotion has left us no picture so revolting to common-sense. Gertrude of Denmark, the slave of guilty passion, betrays not a symptom of uneasiness until, amid scenes the most appalling, her slumbering conscience is at length awakened by the fierce reproaches of her son. If these immortal pictures are true to nature, how can we reconcile them with the demeanour of Mary Stewart, who had just, according to her enemies, attained the object of all her wishes and all her crimes? How can we reconcile her conduct with the eager passion attempted to be painted in the Stirling letters?

[1] Letter of Drury; Record Office.

These questions admit but of one reply. The behaviour of the Queen of Scots at this crisis of her history can only be explained by her rooted aversion to a marriage which was forced upon her by the daring ambition of Bothwell and the matchless perfidy of his brother nobles.

CHAPTER IX.

FROM THE MARRIAGE OF THE QUEEN OF SCOTS TO BOTHWELL UNTIL HER IMPRISONMENT AT LOCHLEVEN.

THE conduct of the leading nobility of Scotland during the reign of Mary Stewart has no parallel in the history even of that turbulent country. We have seen that during her residence in France they assumed the right of disposing of her crown. We find them afterwards rising in rebellion against her because she married Darnley; and yet a few months later we find the very same men conspiring to dethrone her and to bestow her crown upon her husband. Failing in this, they next resolve to murder him; and after they effect their purpose, they first recommend their chief accomplice as a new husband for their queen, and they then combine to punish him for the murder. But it is easy to perceive that the conduct of the great nobles, which at first sight appears so inconsistent, and even inexplicable, was guided throughout by a fixed determination to depress the authority of the Crown. From the time that James IV., the most vigorous monarch of the house of Stewart, fell at Flodden, they had virtually governed Scotland; and they were prepared at any sacrifice to maintain their

power. James V. had during his brief reign struggled manfully against the common oppressors of the people and the Crown, but he perished in the unequal struggle. The duty of reducing the nobles to obedience next devolved upon his daughter; and although possessing many qualities for the task, she too found at last that it was one beyond her strength. So long as she suffered the dominant faction to exercise the whole powers of the Government, she was allowed to reign in peace;[1] but as soon as she adopted an independent course by determining to marry, they turned immediately against her, under the pretence that their religion was in danger; and we find them engaging in one desperate conspiracy after another, until they finally succeeded in depriving her of her crown. We have no example, in ancient or in modern times, of men so utterly unscrupulous as those by whom this revolution was accomplished. Combining as they did all the energy of the north with more than the perfidy of the south, and courted at the crisis of the Reformation as well by England as by France, they were equally ready to clutch the bribes and betray the interests of both. At home the circumstance of two minorities following in succession had greatly added to their power, and they now had every prospect of a third. It was only necessary to destroy the reputation of the queen in order to secure the triumph of the ruling faction for many years to come.

To accomplish these objects the Stirling confederates

[1] This circumstance is referred to in very pointed terms in a paper signed by a large number of the nobility and clergy favourable to the queen in September 1568. They say expressly that the queen was kept in a state of pupilage by Murray and his faction.—Goodall, ii. 358.

were now busily at work. We have seen that they were preparing to recall the Earl of Murray, their real leader, as soon as his services might be required. Maitland, too, had been secured. But it was necessary to proceed with caution, for Bothwell was a man of a very different stamp from his predecessor; and in addition to his numerous vassals, he was master of the two strongest fortresses in Scotland—Edinburgh and Dunbar.

For three weeks after her marriage the queen remained at Holyrood, the prisoner, to all appearance, rather than the wife, of Bothwell. She was continually surrounded with guards; and the description of her given by Melvill, who was at Court at the time, agrees entirely with that of Du Croc. Not a day passed, he says, in which she did not shed tears; and he adds that many even of Bothwell's followers "believed that her majesty would fain have been quit of him."[1] This suspicion was amply confirmed by what took place very shortly afterwards.

In consequence of various alarming rumours, the queen and Bothwell left Holyrood on the 7th of June, and took up their residence at Borthwick Castle, a place of great strength some ten miles south of Edinburgh. The insurgent nobles were in fact already in the field, and such was their secrecy and expedition, that the Earl of Morton and Lord Hume appeared at Borthwick at the head of 1200 horse before it was known to the inmates that they had quitted Stirling. It is hardly necessary to remind the reader that the two insurgent leaders, Morton and Hume, had both signed the bond for the marriage of the queen and

[1] P. 82.

Bothwell, whose ruin they now were bent upon accomplishing. The latter with much difficulty made their escape to Dunbar, where a proclamation was issued summoning the Crown vassals of the adjoining counties to assemble without delay.

The insurgents now determined to take possession of Edinburgh; but the castle was in the hands of Sir James Balfour, at this time a professed adherent of Bothwell, and to attain their object it was necessary to bring him over to their side. For this purpose a fitter instrument could not be found than Maitland; and after a protracted interview—for the secretary had to deal with a man quite as unscrupulous as himself—they at length came to terms,[1] the exact purport of which is unknown, but by which, if we may judge by subsequent events, Balfour agreed to take no part against the insurgents. Encouraged by their success, the latter did not hesitate to assume all the functions of government. They issued proclamations, enlisted soldiers, to whom they offered a large bounty, and seized upon the mint. They even had the audacity—partly, perhaps, from pique at the peremptory refusal of the Queen of England to help them in any way—to lay their hands on the rich gold font which she had sent to the Queen of Scots at the christening of the prince.[2]

Meanwhile the queen and Bothwell were not idle.

[1] "My lord secretary came to the castle at two in the afternoon, and spoke with the captain the space of three hours."—Letter of James Beton to the Archbishop of Glasgow, quoted in Laing, ii. 110.

[2] Ibid., ii. 108. Kirkaldy wrote to Bedford on the 8th of May that Bothwell had seized the font.—See Keith, ii. 588, note. But it is not probable that before his marriage Bothwell would have ventured to do so.

In the course of a week they had assembled a small army of between 2000 and 3000 men, with which they ventured to take the field; and on the 15th of June, exactly one month after their marriage, the opposing forces met at Carberry Hill, about six miles from Edinburgh. Du Croc, with the laudable desire of preventing bloodshed, repaired early in the day to the headquarters of the insurgents, and from him we learn the professed object of their enterprise. They received him, he said, with all respect; but they assured him that there were only two possible modes of preventing a collision. The first was, that the queen should separate herself from Bothwell, in which case they were ready "to serve her upon their knees as her most humble and obedient subjects and servants." The second was, that Bothwell, in the presence of both armies, should fight with some one who should proclaim him to be the true murderer of the king; "and if he wished a second antagonist," they significantly added, "or even a dozen, they would find them." It is clear, therefore, that for obvious reasons they did not wish to make a prisoner of Bothwell. To dispose of him by single combat would serve their purpose better; and knowing his rash temper, they rightly judged that he would not decline the challenge. The French ambassador disapproved of both proposals, believing, on the one hand, that the queen would refuse to part with Bothwell, and on the other, that she would not suffer him to engage in single combat. With inconceivable effrontery the insurgent lords then declared that their sole desire was to punish the murder of the king, and that they would rather be buried alive than allow it to remain unavenged. Little

did Du Croc know, when he repeated these brave words, that the two leading spirits of the confederacy, Morton and Maitland, had both been accomplices of Bothwell in the crime which they now laid solely to his charge.

Still in hopes of effecting some arrangement, the French ambassador next repaired to the headquarters of the queen. She complained loudly, as well she might, of the insurgent lords, who had first recommended her to marry Bothwell, and were now in arms against her because she had complied with their request. While she was speaking Bothwell rode up. He too complained to Du Croc of the envy and malice of his enemies; but he declared his readiness at once, to save the effusion of blood, to meet in single combat any one of the confederate lords. The queen here interposed, and said she could not allow any such meeting to take place; and eventually the French ambassador, finding that his friendly efforts for the maintenance of peace were of no avail, took his leave and returned to Edinburgh.[1]

The subsequent incidents of this eventful day are described by less trustworthy witnesses. A French retainer of Bothwell, known by the name of the Captain of Inchkeith, who was present, tells us that after the departure of Du Croc the proposal of deciding the matter by single combat was renewed, and that the queen was persuaded, though with much difficulty, to give her consent to a fight between Bothwell and Lord Lindsay, but that she eventually forbade it. The same witness says that she wished instead to attack

[1] Despatch of Du Croc to the King of France; Teulet, ii. 312 *et seq.*

the insurgents with her whole forces without delay, and that she several times urged Bothwell to give the order to advance. But this conduct is inconsistent with the fact that she was in hourly expectation of reinforcements, which would have turned the scale completely in her favour. She knew that Huntly and Lord John Hamilton had passed the previous night at Linlithgow, and were hastening to join her with a considerable force. She knew also that two of her most devoted adherents, Lord Herries and the Laird of Lochinvar, were approaching from the south; and a contemporary narrator[1] of great credit informs us that, knowing of these movements, she was induced to spin out her negotiations with the rebel lords as long as possible. It is more probable that, being disappointed in her expectations of assistance, and shrinking from the prospect of much bloodshed, for the numbers upon each side were nearly equal, she rashly resolved to place herself in the hands of the confederates; but before taking this fatal step she made terms as well for Bothwell as for every one of her followers. She stipulated that all should be allowed to leave the field in safety.[2] Kirkaldy of Grange, in whose honour she placed more reliance than in that of any of his friends, agreed to these terms in their name and in his own. Bothwell was reluctant to take his departure; but finally embracing the queen, and en-

[1] Letter of James Beton; Laing, ii. 112.

[2] The Captain of Inchkeith says that the queen agreed to surrender "pourveu que monsieur le duc fust seur et sans etre poursuivy" (Teulet, ii. 307); and James Beton says, in addition, that she made them "promiss to do no harm to hir companie, but licens thame to retire thairselfs without ony skaith" (Laing, ii. 113). The reader will learn with surprise that both these stipulations appear to have been kept.

treating her to remain faithful to her promise, he galloped off, accompanied by a dozen of his followers, in the direction of Dunbar.

We have seen that the confederates informed the Earl of Bedford a few weeks before that one of their chief objects was the punishment of Bothwell for the murder of the king. We now see that when they had him in their power they allowed him to escape. Though their motives could not have been known at the time, they are perfectly apparent now. They never could have ventured to put upon his trial the man who could have proved that their two chiefs, Morton and Maitland, were equally guilty with himself.

It is hardly necessary to add that the readiness with which the queen parted with Bothwell is wholly incompatible with the existence of that infatuated passion with which her enemies assert she was possessed. For him, they assure us that she had not only sacrificed her honour and risked her crown, but that she was ready to follow him to the ends of the earth although deprived of both; yet we find that within a month of her marriage she is ready to leave, most probably for ever, the god of her idolatry. Such conduct at such a time is irreconcileable with the existence of any real affection. It is perfectly consistent with the supposition that the marriage had been forced upon her, and with the undoubted fact that she had been a miserable woman ever since it took place.

After the departure of Bothwell the queen was conducted by Kirkaldy to the insurgent camp, where she was received by the Earl of Morton with the most ardent expressions of loyalty and attachment; but she very

soon discovered that she was a prisoner, and a prisoner in the hands of implacable enemies. On the road to Edinburgh, whither she was now conducted by the insurgents, she was not only assailed by the most opprobrious epithets by many of the common soldiers, but a standard was borne before her, on which was painted the figure of her dead husband, with the prince kneeling by his side, and uttering the words, "Judge and revenge my cause, O Lord!" The queen did not submit in silence to this outrageous treatment; and for some reason unexplained, but probably because she believed him to be the instigator of the insults to which she was exposed, she was especially incensed against Lord Lindsay, declaring that she would one day have his head. The enemies of Mary have not failed to point to this incident as a proof of her violent and vindictive temper. They forget that she had made similar threats both during Murray's rebellion and after Riccio's murder, but that her promises of vengeance were the only promises she never kept.

On her arrival in Edinburgh she was conducted to the house of the lord provost, where for twenty-four hours she was kept a close prisoner, her keepers resolutely refusing to allow any one to speak to her.[1] In this interval, too, they neglected no means of exciting the people against her. On looking from the window in the morning, the flag on which the dead body of her husband was painted was the first object which caught her eye. The refinement of insult could go no further, and for the first and last time in her

[1] "They sufferit na man to speik to hir yesterday, or to cum quhair sche was—yea, noucht hir awin maiddenis."—Letter of J. Beton; Laing, ii. 114.

eventful life Mary Stewart abandoned herself to despair. She called wildly to the people assembled in the street to rescue her from the traitors who had betrayed her, and the confederates found at last that they had somewhat overshot their mark. The sight of their sovereign in such extreme distress began to rouse the sympathies of the citizens, and it was resolved to remove her from Edinburgh without delay. She was accordingly conducted to Holyrood under a powerful escort, accompanied by the Earls of Morton and Atholl, and still preceded by the banner, which was intended to inform the people of her crimes. Under cover of night she was then carried off a prisoner to Lochleven, in utter defiance of the terms upon which she had surrendered. It appears, however, that notwithstanding the unknown perils which threatened her, she soon recovered her wonted self-possession. Beton tells us that before she left the provost's house she contrived to send a verbal message to Sir James Balfour, desiring him, whatever might become of her, upon no account to surrender the castle to the rebels. She was not aware that the traitor had already agreed to join them.

Kirkaldy was indignant that the terms upon which the queen surrendered had been thus shamefully violated; but to his remonstrances the confederates had a ready answer. It was they who were the aggrieved parties; for the queen had broken faith with them by writing a letter to Bothwell, which they had intercepted, and in which she called him "her dear heart, whom she should never forget nor abandon."[1]

[1] Melvill, 84. "Grange," he says, "was so angry that but for the letter he had instantly left them."

If any such letter had existed, we should naturally have concluded that they would have preserved it as a justification of their conduct. But if it was produced at all—for Melvill, who tells the story, does not say that it was shown even to Kirkaldy—it certainly never was produced again.

Even Robertson[1] discredits the story altogether; and when we consider that the queen was kept a close prisoner in her chamber in the provost's house, without one of her servants to attend her, it seems incredible that she should have found the means of writing and sending away a letter. But the incident detailed by Melvill is instructive, as showing the readiness with which, in this age of falsehood and forgery, the enemies of the queen were prepared at all times and in all places to furnish the precise evidence that was necessary for the accomplishment of their designs.

[1] Vol. iii., Dissertation. See also Hume, chap. xxxix.

CHAPTER X.

FROM THE IMPRISONMENT OF THE QUEEN AT LOCHLEVEN UNTIL THE BATTLE OF LANGSIDE.

THE revolution which consigned Mary Stewart to a prison had been brought about by a section only of the Protestant nobility of Scotland. The order under which she was conveyed to Lochleven was signed by four earls—namely, Morton, Glencairn, Atholl, and Mar; and by six lords—namely, Lindsay, Ruthven, Hume, Sempill, Ochiltree, and Graham. Of the earls, Morton and Glencairn had long been enemies of the queen and active partisans of Murray's faction; Atholl, who was a relative of Darnley, and a Catholic, was probably actuated by a sincere desire to avenge his kinsman's death; and Mar, as the guardian of the infant prince, may have been induced to join the confederacy from fear of the designs of Bothwell. Among the lords, Ruthven and Lindsay were notorious enemies of the queen; the same may be said of Ochiltree, the father-in-law of Knox; and Graham was a minor.[1] The most powerful families in Scotland were therefore unrepresented in the confederacy. Kirkaldy had informed the Earl of Bedford that Argyll had joined it, but the great West Highland

[1] Keith, ii. 648, and note.

chief stood aloof. In the north, Huntly and Sutherland were all-powerful, and they were both in the interest of the queen. The Hamiltons,[1] by far the most powerful family in the south, were strongly opposed to the confederacy, and the same may be said of the most formidable of the Border clans. The position of the men who had imprisoned their queen and usurped her authority was therefore full of peril; but the abilities of their leaders were equal to their ambition. Having once embarked in the path of rebellion, they allowed nothing to turn them from their purpose; and while the friends of the queen, numerous though they were, remained irresolute and inactive, the dominant faction made the most strenuous efforts to consolidate its power. In the towns, where its strength chiefly lay, and especially in Edinburgh, the Protestant preachers rendered the most valuable aid. By indulging in furious invectives against the queen, and charging her directly with the murder, they prepared their hearers for the prospect of her speedy deposition, and the establishment of a regency in the name of the infant prince.

On the day upon which the queen was sent a prisoner to Lochleven, the associated lords signed a bond, in which they declared, among other things, that they had taken up arms to relieve her from "thaldrom and bondage;" and further, that they had done so "in lawful obedience *to our sovereign*," as if the queen herself had given orders for her own imprisonment. They asserted that Bothwell was the murderer of the king, and that by his own contrivance his trial had been "impeded and delayed," when all

[1] The Duke of Chatelherault was at this time in France.

the world knew that Lennox, and not Bothwell, had asked for the delay. But the chief point of interest in this singular document is the charge against Bothwell, that "he beset her majesty's way, took and ravished hir most noble persoun, and led the same with him to Dunbar Castle, there detaining her prisoner and captive."[1] If this was true, what became of the alleged complicity of the queen in the designs of Bothwell? But when we consider that their two leading spirits, Morton and Maitland, had been concerned both in the murder of the king, and in afterwards promoting the marriage of the queen, we need not be surprised at the difficulty which they found in giving any intelligible explanation of their conduct.

As the Queen of England had refused to recognise or assist the confederates in any way, they turned their eyes to France; and on the night upon which Mary was sent to Lochleven, Maitland had a long interview with Du Croc. The ambassador expressed strong doubts as to the success of their enterprise, stating at the same time his belief that the King of France would take the part of his sister-in-law. Upon this Maitland assured him, on his sacred word of honour —and it was easier for him to lie than to speak the truth—that they had had no communication whatever with the English Government;[2] and adding that they desired above all things that the king his master would take Scotland and the prince under his protection. We thus find that on the 7th of May Robert Melvill

[1] Keith, ii. 649.

[2] "Il me jura sur son Dieu que jusque ici ils n'avoient aucune intelligence avec la Royne d'Angleterre."—Letter of Du Croc to Catherine de Medici; Teulet, ii. 311.

applied, on the part of the confederates, for assistance from England, on the ground that they had *rejected* the proferred aid of France; while on the 16th of June they earnestly sought the protection of the French king, on the ground that up to that moment they had not asked for help from England. Maitland next proceeded to justify the conduct of the confederates in imprisoning the queen. He assured Du Croc that although, as the French ambassador well knew, she had been miserable since her marriage with Bothwell, her passion for him was still as violent as ever. He further stated that he had had a conversaton with her before she left the provost's house, and that, so far from concealing her attachment, she declared that she wished only to live and die with Bothwell—nay more, that she would most willingly embark in a vessel with him, to be carried wherever fortune might bear them. It is to be observed that Du Croc addresses the letter containing these details not to Charles IX., but to his mother. The discreet diplomatist knew that they would be more acceptable to Catherine de Medici than to her son.

There are good reasons for believing not only that the stories told by Maitland as to the queen's attachment to Bothwell were not true, but that he had no conversation with her at all previous to her departure for Lochleven. James Beton, who was in Edinburgh at the time, and who has left us by far the most minute account of the occurrences which took place between her arrival and her departure, is silent on the subject; and it is not probable that he would have omitted a circumstance so material as an interview between the queen and the secretary. Beton further

gives us a piece of information which is inconsistent with the fact that any such interview took place. He tells us that before she quitted the provost's house she sent by "ane of hir maiddens"[1] a message to Maitland, entreating him to use his influence with the confederate lords on her behalf. It is obvious that there would have been no occasion for such a message if she had herself beforehand seen and conversed with the secretary.

It clearly appears from Du Croc's letter that the first plea put forward by the insurgents was the extravagant affection of the queen for Bothwell; but admitting all their allegations upon this point to have been true, nothing could be more absurd than that they should have deposed and imprisoned their sovereign on account of her unconquerable attachment to the man whom they themselves had recommended her to marry. It must speedily have occurred to them that it was necessary to find some other ground upon which to justify their rebellion. The most obvious expedient was to charge her as an accomplice with Bothwell in the murder, and upon this course they finally decided.

But their intentions were not disclosed for some five or six weeks after the queen's imprisonment. It was not until the 25th of July that Sir Nicolas Throgmorton wrote from Edinburgh to Queen Elizabeth that the confederate lords intended to charge their sovereign with "the murder of her husband, whereof (they say) they have as apparent proof against her as may be, as well by the testimony of her own handwriting,

[1] The same probably whom she sent to Balfour, telling him to hold out the castle to the last.—Laing, ii., Appendix, 114.

which they have recovered, as also by sufficient witnesses."[1] This is the first intimation which we have of the existence of any such evidence.

Many months after this—namely, on the 16th of September 1568—when the Queen of Scots was no longer in Scotland, her enemies assigned the 20th June 1567 as the day upon which this important evidence fell into their hands. In September 1568 the Earl of Murray was about to proceed to the conference at York for the purpose of accusing his sister of the murder, and it was therefore necessary to make some statement as to the time and manner of the alleged discovery. Murray accordingly gave a receipt for a silver box containing letters and other papers said to have been written by the queen to Bothwell; "which box, with the whole of its contents, was taken and found upon George Dalgleish, now deceased, servant to the said Earl of Bothwell, on the 20th of June 1567."[2] Paris, we have seen, was dead before his deposition was sent to England. We find now that another most important witness, the person upon whom the queen's letters were said to have been found, was also dead before his name was ever mentioned in connection with these celebrated documents.

A more detailed account of the discovery of the letters is contained in the 'Detection,' which was published in 1571; it is as follows: "Memorandum, that in the Castle of Edinburgh there was left by the Earl Bothwell, before his fleeing away, and was sent for by one George Dalgleish, his servant, who was taken by the Earl of Morton, one small gilt coffer, not fully a foot long, being garnished in sundry places

[1] Keith, ii. 699. [2] Goodall, ii. 90.

with the Roman letter F under a king's crown, wherein were certain letters and writings well known and by oaths affirmed to have been written with the Queen of Scots own hand to the Earl of Bothwell."[1]

But the circumstances attending the discovery of the letters were not fully detailed by the queen's enemies until the publication of Buchanan's History some years afterwards. According to that author, "Balfour[2] delivered this cabinet" (meaning the casket containing the letters) "to Bothwell's servant; but withal he informed the chiefs of the adverse party what he had sent, whither, and by whom; upon which they took him, and found great and mighty matters contained in the letters, which though before shrewdly suspected, yet could never so clearly be made out, but here the whole wicked plot was plainly exposed to view." The letters, therefore, were intended to prove that "the whole wicked plot" was the joint work of the queen and Bothwell, and thus to avert suspicion from the men who produced them.

Such is the account given, long after the event, of the discovery of these famous letters.

If Buchanan had told us that Balfour discovered these letters, and forthwith gave them up to the confederate lords, the story would have been at least consistent; but why he should have taken the trouble and run the risk of appearing to comply with Bothwell's wishes, while he secretly took measures to defeat them, it is impossible to explain. Balfour had by this time abandoned his former patron and come to terms with the confederates, and if the queen's letters had fallen into his hands, he must have at once per-

[1] Detection, 91.

[2] History, book xviii.

ceived their paramount importance. Buchanan says that he gave them up to Bothwell's messenger after sending word to the confederates to intercept him. Can we believe that Balfour, an experienced lawyer, accustomed to deal with evidence of every kind, would have thus risked the loss of documents so precious? Bothwell's servant, to whom they were intrusted, might have lost them; he might have destroyed them; he might have made his escape. In any such case the confederates would have lost their only evidence against the queen—their only hope of justifying their rebellion. That a man like Balfour should, without any conceivable object, run such a risk, is hardly within the bounds of belief.

Another objection to the truth of Buchanan's narrative is the absolute silence of the queen's enemies at the time of the alleged discovery. We have not a scrap of contemporary correspondence on the subject. Although Drury continued to transmit to Cecil every piece of political gossip he could collect, he never gives the faintest hint as to the all-important letters. The despatches of Du Croc, who was in Edinburgh at the time, are equally and significantly silent. Still more significant is the examination of Dalgleish, the alleged bearer of the letters, who was brought before the confederate Privy Council on the 26th of June,[1] five days after they were said to have been recovered. Neither uponthat nor upon any other occasion was Dalgleish asked any question, nor did he make any statement,[2] as to the letters said to have been found upon him. Nor, as we have already stated, was his

[1] See his examination in Anderson's Collections.
[2] See his confessions; State Trials, i. 919.

name ever mentioned in connection with them until after he was dead.

The Privy Council failed to examine a still more important witness. Not a question was put to Sir James Balfour, the alleged finder of the letters; nor, although he acted with the confederates for some time afterwards, did he ever furnish any confirmation of their story. The only witness of its truth, therefore, was the Earl of Morton, who finally produced the letters at Westminster, and who was afterwards himself convicted of the crime with which he charged the queen.

Mr Laing has suggested an extraordinary reason for the silence of the confederates respecting their discovery. He says "they were careful not to exasperate the queen's friends by divulging the letters."[1] If the letters were forged, that would no doubt have been the result; but if they were genuine, however they might have exasperated her *enemies*, they must have seriously discouraged her friends, a point at this time of the utmost consequence to the insurgents. They were, in fact, after the imprisonment of the queen, in a position of extreme danger. Not only had they in vain sought assistance both from England and from France, but a large number of their fellow-nobles, under the leadership of the Archbishop of St Andrews and the Earls of Huntly and Argyll, had assembled at Hamilton to concert measures for the liberation of their sovereign. They even refused to receive a messenger from the confederates, who had been sent to treat with them upon the subject.[2] The insurgents, therefore, had before them the immediate prospect of

[1] Laing, i. 114. [2] Spottiswoode, ii. 63.

a civil war, in which they could count only on the extreme section of the Protestant population; for the great majority of the nobles, Protestant as well as Catholic, was arrayed against them. There was only one way by which they could hope to disarm their opponents and justify their conduct to foreign states, and that was by furnishing decisive proof of the queen's guilt. Can we believe that, in the perilous position in which they stood, if such evidence had been in their possession they would have failed to produce it?

Mr Froude suggests another reason for the silence of the confederates. "They might," he says, "have experienced, too, some fear as well as some compunction, if, as Lord Herries said, the casket contained the Craigmillar bond, to which their names remained affixed. This, at least, it was necessary to keep secret." As this reference to Lord Herries must be unintelligible to the general reader, we may explain that that nobleman states in his Memoirs, that instead of finding among Bothwell's repositories in Edinburgh Castle the alleged letters of the queen, Balfour found the bond for Darnley's murder. This latter circumstance is so extremely probable that Mr Froude does not seem to doubt it. Lord Herries adds, what Mr Froude does not inform his readers, that if the queen's letters had been genuine, her enemies would only have been too glad of such an opportunity for bringing her to trial and putting her to death.[1] Mr Froude tells us instead,

[1] Memoirs, 100. This statement of Lord Herries as to the finding of the Craigmillar bond is confirmed by one of his bitterest enemies, Thomas Randolph, who, in a letter to Cecil of 15th October 1570, expressed himself as follows: "To name such as are yet here living, most *notoriously known to have been chief consenters to the king's*

without a vestige of authority, "that the discovery of the letters acted on the heated passions of the lords like oil on fire."[1] And he finally adds that, "uncertain what to do, they sent one of their number in haste to Paris to the Earl of Murray, to inform him of the discovery of the letters, and to entreat him to return immediately." For the circumstances here so graphically detailed—the excitement and indignation of the rebel lords at the discovery, and the instantaneous despatch of one of their number to Paris with the intelligence—Mr Froude is indebted entirely to his imagination. As we have already stated, there is not a particle of contemporary evidence showing, or tending to show, that any discovery had been made, or that anybody was sent to Paris at this time on the part of the confederates.[2]

death, I mind not, only I will say that the universal bruit cometh upon three or four persons which subscribed 'a band' promising to concur and assist each other in doing the same. This band was kept in the castle in a little coffer or desk covered with green; and after the apprehension of the Scottish queen at Carberry Hill, was taken out of the place where it lay by the Laird of Lethington in the presence of Mr James Balfour."—Record Office. It is impossible to reject the concurring testimony of two such political opponents as Herries and Randolph respecting the finding of this bond.

[1] Vol. ix. 118.

[2] Although we have no proof that the insurgent lords sent one of their number to Murray, we know that Murray about this time sent an emissary named Nicolas Elphinstone to Scotland, apparently to remonstrate with them respecting their harsh treatment of the queen. Whether he was sincere in the disapproval he now expressed of the conduct of his associates, or whether he only affected sympathy for his sister in deference to the known sentiments of his ally the Queen of England, we cannot tell. The confederates, at all events, showed more deference to Elphinstone than they had to either the English or the French ambassadors. They allowed him to visit Lochleven.—See Throgmorton's letter of 19th July; Keith, ii. 691. It was at this time, in all probability, that the alleged "letter" of the queen to Bothwell was shown to Elphinstone, and that he communicated its

The meeting of the General Assembly of the Reformed Kirk on the 25th of June was a fortunate occurrence for the insurgent lords. The assemblage of a large body of ecclesiastics, who all regarded the queen as the chief enemy of their faith, led necessarily to much discussion as to her alleged guilt and the punishment due to her crimes. Buchanan, though a layman, was chosen moderator or president of the Assembly, and from this time forward he dedicated himself to the service of her enemies with an assiduity quite equal to that with which, so long as fortune smiled upon her, he had sought and obtained the favour of his sovereign. Knox, too, now ventured to return from the west, where he had lived in retirement since Riccio's murder; and the confederates determined through him to make a second attempt to gain over the lords who had assembled at Hamilton[1] on behalf of the queen.

As a large number of these were Protestants, it was impossible to find a fitter person for such a mission. But even the influence of Knox failed to induce

contents forthwith to Murray. It is probable, too, that this was done in writing, as we do not hear of Elphinstone leaving Scotland at this time; and this would account for the details being furnished in so complete a manner by Murray to the Spanish ambassador.—See *ante*, 210. As Murray arrived in England on the 23d of July, and gave the information to the Spanish ambassador on the 31st, there was ample time for him to have heard in the interval from Elphinstone.

[1] The following nobles were at this time assembled at Hamilton: The Duke of Chatelherault, being in Paris, was represented by the Archbishop of St Andrews and Lord John Hamilton. There were also present the Earls of Argyll, Huntly, Caithness, Rothes, Crawford, and Menteith; the Lords Boyd, Drummond, Herries, Cathcart, Yester, Fleming, Livingstone, Seton, Glammis, Ogilvie, Gray, Oliphant, Methven, Innermeith, and Somerville; besides the lay abbots of Kilwinning, Dunfermline, Newbattle, Holyrood, and St Colm.—Keith, ii. 658, note.

Argyll and his associates to join the confederate lords, who, thus repudiated by England, France, and the great majority of their fellow-nobles, were compelled to fall back upon the Reformed clergy as their only possible allies. The latter perceived their advantage, and did not fail to turn it to the best account. They exacted, among other things, a promise from the confederates that the patrimony of the Church now held by the temporal lords should be restored. "Howbeit," observes the historian of the Church of Scotland, "having once attained their ends, they did forget all, and turned adversaries to the Church in the same things whereunto they had consented.[1]

About the time of this alliance the Earl of Glencairn broke into the queen's chapel at Holyrood, accompanied by a number of his servants, and demolished the altar-piece, the pictures, and other ornaments of the place. This act of fanaticism or hypocrisy was censured by the other confederate chiefs, but highly commended by the clergy.[2] The confederates shortly afterwards took possession of the queen's jewels, which, from the inventory recently published,[3] must have been of very great value.

On the 27th of June four persons, named William Blackadder, John Blackadder, James Edmonston, and Mynart Fraser, were brought before a council of the confederate lords, who had now assumed the designation of the "Lords of the Secret Council," charged with the murder of the king. These four men, after

[1] Spottiswoode, ii. 65. Knox also, speaking of his noble allies, bitterly remarks, "How they performed their promises God knows always."—History, 410.

[2] Lord Herries's Memoirs, 97; Knox's History, 410.

[3] By Mr Joseph Robertson.

being put to the torture, were all executed. We are not informed upon what evidence, if any, they were convicted.[1]

But where was Bothwell all this time? It was to seize and punish him that the confederates had professedly taken up arms. Yet he was allowed to remain unmolested at Dunbar, within twenty-seven miles of Edinburgh, for at least ten days after the queen had been sent a prisoner to Lochleven. At length, on the 26th of June, after he had abundant time to take measures for his escape, the confederate lords issued a proclamation offering a reward of 1000 crowns for his apprehension. They also, in the name of the queen, who was their prisoner, issued an order to the keeper of the Castle of Dunbar "to surrender the same, because the Earl of Bothwell was reset and received within the said castle." We can only regard these tardy and ineffectual measures in the light of a friendly warning to the earl from his former associates that he must quit his present hiding-place. As such he no doubt received it, for a few days after the date of the proclamation he sailed for the north of Scotland.

It seems probable that the queen's adherents at Hamilton were prevented at this time from measuring their strength with the confederates by the presence of the General Assembly in Edinburgh, and the influence of the clergy. The arrival of an English ambassador, who attempted to mediate between the rival factions, also tended to prevent a collision. The indignation of Elizabeth on hearing of the harsh treatment of the Queen of Scots had been extreme. At no period of

[1] Keith, ii. 653.

her history, indeed, does she appear to more advantage, either as a woman or a queen. She abandoned for a time that studied ambiguity of language under which it was her custom to cloak her real sentiments, and spoke in tones that all could understand. She forgot that Mary Stewart had once worn the arms and aspired to the crown of England. She only saw her sister queen and nearest kinswoman a helpless captive in the hands of men whose characters and aims she knew too well, and she would at any cost obtain her deliverance. Her ministers, unaccustomed to the exhibition of such genuine feeling, were in sore perplexity. The chiefs of the Protestant party—Cecil, Leicester, and Bedford—rejoicing in secret at the success of the Scottish insurgents, in vain entreated their mistress to allow events to run their natural course. Elizabeth's advisers knew that the death of princes commonly followed fast on their captivity, and in the absence of foreign interference on her behalf, they calculated that the Queen of Scots would prove no exception to the rule. It was only necessary to abstain, probably for a very short time, from meddling in the affairs of the northern kingdom, and the mortal enemy of England and of the Protestant faith would be for ever removed out of the way without an effort on their part. But Elizabeth was in no humour to listen to these cold-blooded calculations. Right or wrong, she would not stand tamely by and see her cousin murdered. She would remonstrate with these rebellious Scots, and if remonstrances proved ineffectual, she would send an army to chastise and reduce them to obedience. Elizabeth, like her tyrant father, was capable at times of generous emotions; and there

can be no doubt that her conduct at this time, and more especially the many loving messages which she caused to be delivered to the Queen of Scots at Lochleven, induced the latter in the following year to seek a refuge from her enemies in England.[1]

But Elizabeth's reputation for duplicity was now so well established that no one except her immediate advisers believed she was sincere. Both in Scotland and in France her professions of sympathy for her sister queen were received with a degree of incredulity which there was no attempt to conceal On the arrival of Sir Nicolas Throgmorton in Edinburgh, he was distinctly informed by Maitland, the mouthpiece of the confederates, that after what had occurred in times past, they could place no reliance upon his mistress. "They assure themselves," says Throgmorton, "that she will leave them on the briars if they run her fortune."[2] To the English ambassador in Paris the young King of France was still more explicit. "Although," he said to Sir Henry Norris, "the Queen of England makes fair semblance in this matter, yet do I not greatly trust her; for I have discovered of late that she doth secretly practise with the lords to work her own commodity,

[1] Sir Robert Melvill personally assured her on the 29th July "that at all times she might count on a sure friend in the Queen of England."—Record Office.

On 6th August Leicester writes to Throgmorton that their mistress "will spend anything to redeem the Queen of Scots out of captivity;" and further, "to take care that the Queen of Scots may know her majesty's great grief for her, and what care she taketh for her relief." —Record Office.

On the 14th of August Mary writes to Throgmorton, warmly thanking him for the efforts which by his mistress's orders he has made on her behalf. The letter is dated "De ma prison, en la Tour de Lokleven."—Record Office. How she obtained means to send it we do not know.

[2] Letter to Cecil of 12th July; Wright, i. 252.

as the sending thither of Sir Nicolas Throgmorton and certain money[1] doth well declare. But," added Charles —who always entertained the strongest affection for his sister-in-law, Mary Stewart—"it shall cost her dear as anything that ever she took in hand."

Norris further says that a gentleman present, M. de Martigues who had so greatly distinguished himself at the siege of Leith, offered, if the king would furnish him with 3000 troops, paid for three months, that he would undertake to set the Queen of Scots at liberty in spite of her own subjects, or any one else who might take their part, adding, that if he failed he should never more return to France. The young king thanked Martigues for his offer; but the queen-mother, who was present, and who, Norris observes, "I know loves not the queen of Scotland," promptly interposed by reminding her son that "he had irons enough in the fire," alluding to the religious wars at home.[2] The Constable Montmorency,[3] the ancient rival of the house of Guise, warmly seconded the advice of the queen-mother by expressing his strong disapprobation of any such expedition. It is curious to find that the Catholic queen-mother of France was equally desirous with the

[1] This was a mistake. Although the lords were continually begging money from Elizabeth at this time, she sent them none. Sir Nicolas Throgmorton, writing to his mistress on the 19th of July from Edinburgh, says that Maitland had represented "that your majesty might consider how unable they were, without some aid of money, either to maintain their proceedings to defend the prince, to preserve themselves, and be in case to gratify your majesty and your realm, with anything which they had declared both by writing and message; and yet your majesty would not give ear thereunto."—Keith, ii. 689.

[2] Sir H. Norris to Queen Elizabeth, 23d July 1567; Wright, i. 259.

[3] He was killed in the following winter (10th November 1567) at the battle of Saint Denis.

Protestant lords of England of leaving the Queen of Scots to her fate. Was she, then, more cordially hated by Catherine de Medici than even by Elizabeth? The utter indifference of the one, and the warm partisanship exhibited at this critical time by the other, would certainly lead us to this conclusion.

But whatever opinions may have been entertained at the time respecting the motives of the English queen, no doubt can now exist as to her sincere desire to protect Mary from the violence of her subjects. It seemed as if, when her rival ceased to be formidable, the ties of blood, and even some twinges of remorse, induced Elizabeth to turn a deaf ear to her ordinary advisers. On the 8th of July Murray's emissary, Nicolas Elphinstone, passed through London on his journey from France to Scotland. He had an interview on that day with Elizabeth; and after he had taken his leave, she desired Thomas Heneage, a gentleman in attendance, to go and tell Cecil that he must write instantly to the queen "her sister," in her name, for she could not do so herself, "as she had not used her well and faithfully in these broken matters that be past."[1] These remarkable words exhibit in a new light the character of Elizabeth. We should hardly have expected, from her policy and conduct, that she would have had either the conscience to feel or the candour to express regret for her past dealings with the queen of Scots. But her instructions to Throgmorton at this time are couched in the most friendly terms. She does not shut her eyes to the errors of Mary, and especially to her hasty marriage with Bothwell; but the English ambassador is to assure her, notwithstanding, that his

[1] Heneage to Cecil, 8th July; Record Office.

mistress will do as much for her (the circumstances of the case considered) as she "was our very sister or only daughter." Throgmorton is then to inform the Queen of Scots that his mistress has three principal objects in view: the first is to obtain her liberty even "by force," if force is necessary; the second is to procure the punishment of the king's murderers; and the third is to provide for the safety of the infant prince. With the latter object Throgmorton is to recommend that he should in the mean time be sent to England, to reside with his grandmother, the Countess of Lennox, "and that with all security that can be devised."[1] The most odious imputations have been cast upon Elizabeth for thus desiring that the prince should be sent to England; but these seem to be altogether groundless. Elizabeth had probably by this time determined never to marry; and notwithstanding the question of the succession was still unsettled, there is nothing to show that she ever at any time desired, in terms of her father's will, to deprive the house of Stewart of its rights. If, therefore, she regarded Mary and her son as the true heirs of her crown, the proposal that the prince should, in the then disturbed state of Scotland, be transferred to the care of the Countess of Lennox, was unreasonable only in the jealous eyes of the Scottish lords, who had determined, for their own ambitious purposes, to keep possession of the infant.

On his arrival in Scotland, Throgmorton was at once informed that he could not be admitted to the presence of the queen. The "lords" had refused an audience to M. de Villeroy, an envoy of the King of France, who had since quitted Scotland; and they could not

[1] See the instructions in Keith, ii. 671.

accord to Elizabeth's ambassador a privilege which had been refused to the representative of their ancient ally. They placed, at the same time, in the hands of Throgmorton, a written justification of their conduct, in which Bothwell was accused of making a prisoner of the queen, "and by fear, force, and other extraordinary and more unlawful means, compelled her to become bedfellow to another wife's husband." They add that after her marriage he kept her continually surrounded with a guard of 200 soldiers, "as well by day as night, so that no one could approach her except through the ranks of armed men; and yet, notwithstanding the violence and tyranny with which she had been treated, such was her infatuated attachment for the murderer of her husband, that they had thought fit "to sequestrate her person for a season from his company, to the end they might have a breathing-time and leisure to go forward in the prosecution of the murder."[1]

In this document, which was dated the 11th of July, the confederates repeated what they had previously asserted on the 16th of June—namely, that the queen had been forcibly carried off by Bothwell to Dunbar; but in the interval, as they afterwards alleged, they had ascertained, by the clearest evidence, that all had been arranged beforehand, and that she accompanied Bothwell of her own free will. The letters said to have been discovered on the 20th June proved this beyond all doubt, and they had now for three weeks been in their possession, if the story they afterwards told was true. Why did they assert to the English ambassador that which, if the letters were

[1] Keith, ii. 682.

genuine, they knew to be false—namely, that the queen was forcibly carried off by Bothwell, and by force and fraud compelled to become his wife? Tenderness for the reputation of the queen is the only reason which can possibly be suggested; but that the insurgents were restrained by no such motives we learn from the fact that within a fortnight afterwards they informed Throgmorton that they had conclusive evidence of their sovereign's guilt. That evidence, if it existed at all, was equally in their possession on the 11th of July, and why they were then silent on the subject admits of only one explanation.

While Throgmorton was attempting in vain to obtain an audience of the royal captive, the clergy daily denounced her as a murderess in their sermons, and demanded that she should be brought to justice like any ordinary criminal. Throgmorton, writing on the 19th of July, particularly mentions the violence of Knox, whom nothing but the blood of the queen would satisfy. The English ambassador tried to induce the confederate lords to restrain the savage licence of the preachers; but we cannot doubt that they were secretly encouraged by their noble patrons to prepare the minds of the people for the deposition, if not for the murder, of the queen. Her life, indeed, was in extreme peril at this time; and it seems to be highly probable that, but for the presence of Throgmorton in Scotland, she would have been sacrificed to the ambition and the bigotry of her subjects. Such, at all events, was the opinion of that able minister himself.[1]

[1] On the 31st of July he writes to Leicester that "he had certainly saved the queen's life, but to what continuance is uncertain."—Record Office.

Elizabeth was naturally indignant at the refusal of the lords to admit her ambassador to an interview with their prisoner. A moderate bribe would no doubt have opened the gates of Lochleven to Throgmorton; but she was in no humour to spend her money upon these perverse rebels, and she threatened them with signal punishment if they ventured to take any further steps against their sovereign. "You shall plainly declare to them," she says to Throgmorton, "that if they shall determine anything to the deprivation of the queen their sovereign lady of her royal estate, we are well assured of our own determination, and we have some just and probable cause to think the like of other princes of Christendom, that we will make ourselves a plain party against them to the revenge of their sovereign, for example to all posterity."[1] A few days later, she reminds Maitland, the only one of the confederates at all likely to be moved by any such appeal, of the heavy debt of gratitude which he owed his queen. "Where is my Lord of Lethington's natural bond towards her who hath tied him so largely and so bountifully? Fie upon ingratitude!"[2]

Elizabeth deserves the more credit for the expression of these generous sentiments, inasmuch as the whole of her advisers, including Throgmorton,[3] were opposed to any active intervention in Scotland at this time. If she had had her own way, we cannot doubt that she would have attempted to liberate her sister queen by force. But Cecil was not more anxious,

[1] Dated 27th July; Keith, ii. 704.

[2] Leicester to Throgmorton, 6th August; Record Office.

[3] In a letter of the 15th of July to Cecil he says, "I fear the end, both for God's displeasure and for some unaptness among ourselves to enter and prosecute the war."—Wright, i. 256.

during the regency of Mary of Lorraine, to induce his mistress to send an army into Scotland, than he now was to prevent her taking such a step; and he was equally successful on both occasions. On the 10th of August she sent for her minister, and asked in her own imperious fashion[1] why nothing had yet been done to liberate the Queen of Scots, and even spoke of declaring war forthwith against the rebel lords. The secretary did his utmost to dissuade her; but she turned a deaf ear to his arguments, until he had recourse to one which at length induced her to pause. "In the end," says Cecil, for it is from himself that we learn the particulars of the interview, "I said that perchance, in running this course, the Queen of Scots might fall into more peril, by bringing the lords into desperation; and if the worst should happen, then her majesty would be very sorry, and yet *the malice of her enemies would say that the queen's majesty used severity towards the lords to urge them to rid away the queen.*"[2] This view of the matter had not occurred to Elizabeth, and, in the words of the secretary, "she began to pause." She felt, and the feeling must have been a painful one, that whatever steps she might now take for the relief of the Queen of Scots, the world would give her no credit for sincerity—nay more, as Cecil so artfully suggested, that her interference would be attributed to motives the most treacherous and deadly. The wily minister triumphed, and Mary Stewart was left to the mercy of her rebellious subjects.

The latter, freed from all apprehension of interfer-

[1] "The queen sent for me hastily, and entered into a great offensive speech."—Cecil to Throgmorton, 11th August; Record Office.

[2] Ibid.

ence on the part either of France or England, had by this time compelled their sovereign, by threats of personal violence, to resign her crown. In entire accordance with their previous conduct, they employed for this purpose two of her bitterest enemies, Lindsay and Ruthven. If the former of these lords had possessed a spark of manly feeling, he would have declined the task in consequence of what had passed so recently between him and the queen.[1] But, on the contrary, he must have hailed the opportunity of retaliation, for tradition has painted in the most vivid colours his barbarous conduct at Lochleven. Mary having been privately advised by Throgmorton that a renunciation of her crown, extorted by threats, was altogether invalid, finally signed the papers which her jailers placed before her.

On the same day on which her renunciation was signed—namely, the 25th of July—we at length hear through Throgmorton that the confederates are in possession of evidence, "in her own handwriting,"[2] impli-

[1] On her surrender at Carberry.

[2] See letter of Throgmorton, quoted *ante*, 346. It appears from a letter of De Silva to the King of Spain, dated the 21st, that the Spanish ambassador had on that day a conversation with Elizabeth on the subject. He informed her that he had learned that the confederate lords asserted that they had in their possession letters of Mary to Bothwell, which proved her to be privy to Darnley's murder. The reply of Elizabeth is most important. She at once declared that she did not believe the story; and further, she charged Maitland as the author of it, and added that if she saw him she would tell him something he would not like to hear. Here are the words of the Spanish ambassador: "Apunte à la reyna que avia sido avisado, que eu poder de los señores, estaban ciertas cartas por doude se entendia que la de Escocia oviese sido sabidora de la muerte de su marido; dixome que no era verdad aun que Ledington avia tratado mal esto, y que si ella le viese le diria algunas palabras que no le harian buen gusto."—De Silva à Philip II., 21st July 1567. Simancas, quoted by Gauthier; Hist. de Marie Stuart, tom. ii. p. 116. It is very remarkable that

cating the queen in the murder of her husband. It is a significant circumstance that they announced this fact on the very day on which they forced the queen to resign her crown. Four days after the queen's renunciation—namely, on the 29th of July—the infant prince was crowned at Stirling. The nobles of Scotland were very inadequately represented on this important occasion. The chiefs of the great houses of Hamilton, Gordon, and Campbell having all refused to attend, the confederates could only muster five earls[1] and six lords at the coronation of the infant king, and no representative of any foreign prince was present. The ceremony of anointing was performed by Adam Bothwell, the Protestant Bishop of Orkney, to the intense disgust of Knox, who regarded it as a wicked Popish superstition. After the newly-made king had been carried back to his cradle, the Reformer preached a sermon, in which he denounced the queen as a tyrant and a murderess with all that power of fierce invective to which he owed so much of his influence and fame.

A charge of peculiar atrocity has been made at this time against the Hamiltons. We have seen that the archbishop was suspected of having promoted the marriage of the queen and Bothwell with the object of ruining both. It is farther said that the primate and his kinsman the Abbot of Kilwinning, although professedly acting as the chiefs of the queen's party, now

Mary's rival should have thus at once not only expressed her disbelief in the authenticity of the letters, but that she should at the same time have placed her finger on the man who, there can be little doubt, took the chief part in their fabrication.

[1] These were Morton, Atholl, Glencairn, Mar, and Menteith; and Lords Hume, Lindsay, Sanquhar, Sempill, Innermeith, and Ochiltree. —Keith, ii. 719.

proposed to the confederate lords that she should be put to death. The truth of this monstrous charge has been admitted by Mr Tytler,[1] but apparently upon insufficient grounds.

It rests on the authority of two notorious enemies of the Hamiltons—namely, Murray of Tullibardine and Secretary Maitland. From a letter of Throgmorton[2] to Queen Elizabeth, we learn that the project was announced to him by Tullibardine shortly after the coronation of the infant prince. The English ambassador naturally expressed his disbelief of the story. He could not think, he said, "that noblemen could have such double faces, and such traitorous minds." To this Tullibardine replied that the Hamiltons had a powerful motive in desiring the queen's death; for that "she being taken away, they account but the little king between them and home, which," he significantly added, "may die." He then assured Throgmorton that the matter had been proposed to the confederate lords by the archbishop and the Abbot of Kilwinning within the last eight-and-forty hours.

Shortly after Tullibardine had taken his leave, Maitland waited on the English ambassador and told him in substance the same story; but he made an important addition to the information communicated by his colleague. "I say unto you, as I am a Christian man," continued Maitland—and such an asseveration from a noted scoffer was in itself suspicious—"if we would consent to take the life from her" (*i.e.*, the queen), "*all the lords which hold out* would join us within two days. The bishop and abbot have sent a

[1] History of Scotland, v. 459.

[2] Of the 9th August; Record Office.

gentleman unto us for that purpose; and likewise the Earl of Huntly hath sent Duncan Forbes within this hour to conclude with us upon the same ground."[1]

The latter allegations of Maitland lead us to disbelieve the whole story. The Hamiltons, it is true, had an obvious interest in getting rid of the queen; but when we are told that the whole of the nobles, without exception, who had espoused her cause, were ready at this moment to sacrifice her to the ambition of a family at that time by no means popular in Scotland, we look in vain for any motive for an act of such consummate perfidy. The notion of such a combination is inconsistent not only with the jealousy always entertained by the great houses of each other, but it is irreconcilable with the energy and zeal which Huntly, Argyll, and their adherents so soon afterwards exhibited in the service of the queen.

If it is asked, What could be Maitland's object for accusing the Hamiltons of these atrocious designs? the anwer is obvious. They were at this time, as we learn from Throgmorton, in daily expectation of assistance, in the shape of money and arms, from Elizabeth, who, Maitland well knew, was straining every nerve for the liberation of the Scottish queen; and it was of the utmost consequence to the insurgent lords to prevent them receiving any such supplies. We can much more readily believe that Maitland told a falsehood for so obvious a purpose, than that the whole of the queen's adherents were ready at this time to sacrifice her to the ambition of the Hamiltons.[2]

[1] Letter of Throgmorton; Record Office.

[2] Mr Froude, who believes the story, in quoting the words of Tullibardine to Throgmorton, makes the former say, "The Archbishop of

Bothwell was at this time at Spynie Castle, near Elgin, the seat of his granduncle, the Bishop of Moray. Another guest of the bishop was Christopher Rokesby, the English spy, who now proposed to serve his patrons in another fashion. He offered to undertake the murder of Bothwell, with the aid of the captain of the castle and one of the earl's retainers, provided the English ambassador would sanction the project. The proposal was made by Anthony Rokesby, a brother of the volunteer assassin, to Throgmorton, who at once rejected it on the part of his mistress. But he says, with perfect diplomatic composure, "I advised the said Rokesby to repair to Lethington, to declare unto him the state of the whole matter, inasmuch as he and the lords had more interest in the cause than your majesty had."[1] It was well known, therefore, to the English ambassador, that Maitland and his associates were anxious at this time to get rid of Bothwell; and he knew that they would not be over-scrupulous as to the means.

Whether, in consequence of Throgmorton's advice, any overture was made to Maitland on the subject, we are not informed; but shortly afterwards rigorous measures were taken for the apprehension of Bothwell. On the 11th of August a commission was issued to Murray of Tullibardine and Kirkaldy of Grange to pursue the earl and his accomplices "by sea or land, with fire, sword, and all kind of hostility, *and fence and hold courts of justice wheresoever they shall think good.*"[2]

St Andrews and the Abbot of Kilwinning have proposed this much *to me* within these forty-eight hours."—Vol. ix. 149. This would imply that Tullibardine spoke from personal knowledge. But in the original MSS. in the Record Office the words are "*to us*," so that all that Tullibardine told he might have learned from Maitland.

[1] Letter to Queen Elizabeth of 31st July; Record Office.

[2] Keith, ii. 730.

Neither Tullibardine nor the Laird of Grange had been concerned in Darnley's murder; and they may have been induced to believe that which the confederates now at length ventured to assert, that it was the joint work of Bothwell and the queen. We can well understand why none of Bothwell's fellow-conspirators joined the expedition. We can understand, moreover, why Tullibardine and Grange were empowered "to fence and hold courts" wherever they might think fit. The object, doubtless, was to enable them to put to death the outlawed duke as soon as he was caught, without the formality of a public trial, where disclosures fatal to the confederates must of necessity have been made. The notorious Bishop of Orkney, who was also a Lord of Session, accompanied the expedition, to act, no doubt, as assessor, in case of the capture of the fugitive.

Bothwell in the mean time had manned several small vessels, with which he put to sea. He sailed first for Orkney and thence to Shetland, plundering by the way such shipping as frequented those remote regions in the sixteenth century. Kirkaldy and Tullibardine followed on his track with five well-armed vessels, and at length descried the object of their search on the eastern coast of Shetland. Bothwell, who was at this time master of only two small cruisers, fled on the approach of his pursuers, and an exciting chase ensued, in which his light vessels, filled with desperate men, who were thoroughly acquainted with the navigation of those dangerous seas, had the decided advantage. At length, to lure their enemies to their destruction, they dashed through the narrow and intricate channel of Bressa Sound. The manœuvre was successful.

Kirkaldy, who led the pursuit in the largest ship belonging to the expedition, crowded all sail and followed the fugitives; but striking on a sunken rock, his vessel filled so rapidly that he and his companions had barely time to save their lives.[1] The leap which the Bishop of Orkney in particular made from the deck of the sinking ship was long remembered as a feat of singular agility. Bothwell, thus freed from his pursuers, was soon afterwards made a prisoner on the coast of Norway, and delivered up to the King of Denmark, in whose dominions he continued to reside during the remainder of his life. He died ten years after the events described—namely, in 1577.[2]

The Earl of Murray was in London at the time of the deposition of his sister and the coronation of the infant prince. The friends of the future regent, in England[3] as well as in Scotland, had been for some time anxious for his return; and he reappeared, accordingly, just when his presence was required. While he was in France, we have already stated that, like Elizabeth, he expressed his disapproval of the proceedings of the insurgent lords towards his sister; but we find that on his arrival in Scotland he had entirely altered his tone. He reached Edinburgh on the 11th of August, and on the following day Throgmorton expresses his belief that "the Earl of Murray will run the course that these men do, and be partaker of their fortune." Throgmorton adds, "I hear no man speak more bit-

[1] Spottiswoode, ii. 75, note by Mr Mark Napier.

[2] Burton, iv. 456. The story that he died mad in prison, which has been adopted by so many historians, appears to be a fiction of Melvill.

[3] Leicester, writing to Throgmorton on 23d July, says, "For my Lord of Murray, I thank God we have at this instant word he is arrived."—Record Office.

terly against the tragedy and the players therein than he."[1] How are we to account for this change? The most charitable explanation is, that from the letter, the contents of which he had described to De Silva, he now believed in the queen's guilt. Yet he did not on that account cancel his will appointing her the guardian of his daughter, for the deed still exists. We may further observe, that before he quitted France, the Archbishop of Glasgow had warned the Spanish ambassador in Paris that, notwithstanding Murray's professions of friendship for his sister, he was in reality her mortal enemy,[2] and that he would show himself to be so on his return to Scotland—a prediction amply verified by the event. According to Mr Froude, the conduct of this celebrated personage in France was marked by the same incorruptible integrity and disinterestedness which distinguished him through life. He would lead his readers to infer that Murray steadily refused all the proffered favours of Catherine de Medici. "She had offered him," he says, "rank, pension, power, the Scottish regency—even the Scottish crown she would have offered him—if he would lend himself to French interests. He had answered simply that he could agree to nothing prejudicial to his sister and his nephew."[3] Mr Froude omits to state that Murray added that he would accept with gratitude such favours from the King of France as were consistent with the ancient treaties between the two countries;[4] and that he received, doubtless in conse-

[1] Throgmorton to Cecil; Wright, i. 264.

[2] "Enemigo capital de su reyna y hermana."—Alava to Philip II.; Teulet, v. 29.

[3] Vol. ix. 133.

[4] Alava to Philip II., 13th July; Teulet, v. 28.

quence of this gentle hint, a present of plate of the value of 3000 crowns.[1] Yet he had assured the English ambassador, Sir Henry Norris, that he had refused all the proferred favours of the French Court, "lest by taking gifts he should be bound where he is now free."[2] And this was not all. On his return to Scotland a few weeks later, Murray received from the French ambassador there, M. de Lignerolles, another splendid present of plate, besides a pension of 4000 francs a-year.[3] Murray's Continental trip had therefore proved by no means unprofitable; and we cannot but admire the address with which, without committing himself in any way to the policy of France, he contrived to obtain such favours from the most unscrupulous politician in Europe.

Sir James Melvill was deputed by the lords to offer the regency to Murray on his arrival at Berwick; and he at first positively declined it. But notwithstanding his refusal, Melvill tells us that he was informed by some of his company "that he was right glad"[4] when he understood he was to be regent. On conferring with his friends in Edinburgh, Murray's scruples, if he ever entertained any, were speedily removed; but he made it a condition, that previous to his accepting the office designed for him, he should have an interview with his sister at Lochleven. He knew, whatever they might assure him to the contrary, that she could not have renounced her crown of her own free will; and

[1] Alava to Philip II., 24th July; Teulet, v. 30.

[2] Norris to Cecil, 16th July.

[3] Throgmorton to Elizabeth, 12th August: "Your Majesty is advertised of the present my Lord of Murray had given him at his coming forth of France, which was valued at 1500 crowns, and of the pension that Lignerolles hath brought him, of 4000 francs yearly."—Record Office.

[4] Memoirs, 87.

he knew that in that case the whole of their proceedings, including his election as regent, would be null and void in the eyes of all Christendom. It was only by obtaining his sister's sanction to his appointment that he could hope to be permanently recognised as her legal representative either at home or abroad; and he seems to have accomplished his purpose with his accustomed dexterity.

He was accompanied to Lochleven by Morton, Atholl, and Lindsay; but the queen earnestly desired to see her brother alone, and her request was eventually complied with. This was the second time that Murray on his return to Scotland had found his sister a prisoner in the hands of her rebellious nobles; and it is worthy of note that on both occasions the same man, the Earl of Morton, was chief of the confederacy. After Riccio's murder, Murray had felt, or at least had expressed, commiseration for the queen's sufferings; but in the present instance she looked in vain for any symptom of affection. His manner was at first distant and reserved, and he finally reproached her in the harshest terms with her misconduct. The eyes of the unhappy queen were now opened to the perils of her situation. The brother whom she had loved and trusted, whose treasons she had pardoned, and on whom she had lavished wealth and honours, had joined her mortal enemies, and she had nothing to look for but a speedy death. After a lengthened interview, which lasted long after midnight, this was in substance the message which Murray delivered to the captive queen: "He left her that night," says Throgmorton, "in hope of nothing but God's mercy."[1]

[1] Letter of the 20th August.

Was it for this that Murray had insisted on visiting Lochleven—to tell his sister that her doom was fixed, and that she must prepare to die—it might be on the scaffold, it might be by the hand of an assassin? The sequel will inform us. Next morning, after a sleepless night, Mary again met her brother. To her surprise, his stern manner had disappeared, and he even dropped some words of sympathy and hope. He could not undertake to obtain her liberty, but he would at all events assure her of her life. The poor queen, ever too ready to act on the impulse of the moment, and in her utter friendlessness overjoyed to find that she had not wholly lost the affection of her brother, immediately embraced him and entreated him to accept the regency. The purpose of his visit was now accomplished, but he still professed reluctance to accede to her request. At length, in compliance with her wishes, he promised, as if he were conferring the highest possible favour upon his sister, to accept the regency. It is from information supplied, no doubt, by Murray himself[1] that we learn these particulars, and nothing can exhibit in a clearer light the coarse and crafty nature of the man. First to terrify his sister with the prospect of immediate death, then to soothe her with false promises of safety, and finally, with well-feigned reluctance, to accept the dignity he was longing to grasp, displayed a mixture of brutality and cunning of which he alone was capable.

[1] Throgmorton to Queen Elizabeth, 20th Aug.; Keith, ii. 737. This is Murray's own story; but it is to be observed that the queen afterwards stated, that when he came to Lochleven, he informed her, with a "downcast countenance," that he had already accepted the regency.—Labanoff, vii. 323. Italian memorial in the Florentine archives.

Before Murray left Lochleven, the queen requested him to take into his custody her jewels and other articles of value; but he was apparently still more averse to receive them than to accept the regency. "He showed himself very unwilling," says Throgmorton, "to have the custody of the jewels."[1] But Mary was not wont to give her confidence by halves; and after her brother left Lochleven, she wrote a letter to him, giving into his hands not only her jewels, but "all she had of value." How he performed his trust we shall learn hereafter.

There was now no obstacle to Murray's elevation, and he was proclaimed regent on the 22d of August. His first object was to obtain possession of Edinburgh Castle, the most important fortress in the kingdom, which was still held by Sir James Balfour. For an immense bribe of £5000, besides a valuable grant of Church lands, and an annuity to his son, Balfour consented to surrender the castle. He has been described by Robertson as the most "corrupt man of the age;" but this description is hardly just. His claim to pre-eminence in wickedness might have been fairly disputed, not by one, but by many, of his contemporaries.

Dunbar soon afterwards surrendered to the regent; and Stirling, where the infant king resided, was in the possession of Murray's uncle, the Earl of Mar. Dumbarton Castle was the only place of strength which, under the command of Lord Fleming, still held out for the queen.

John Hay of Talla, one of Bothwell's accomplices, was apprehended in the beginning of September; and

[1] Throgmorton to Queen Elizabeth, 20th Aug.; Keith, ii. 737.

we have already stated, on the authority of the Earl of Bedford, that at first Hay accused various persons of distinction as accessories to the king's murder. Drury[1] at the same time informs Cecil that Hay was spared for a little only until some of the great personages whom he accused should be arrested. But in the confession of Hay, afterwards published by the regent, all such charges are suppressed, and no person of rank is accused except Bothwell. Bedford and Drury, who were both at Berwick at this time, were both friends of the regent; and if they have described the true nature of Hay's confession, it follows that that which the regent afterwards published is absolutely worthless. Bedford on the 5th of September speaks of the deposition of Hay as having been already made; but that afterwards produced by Murray is dated eight days later—namely, the 13th of the same month. We may infer that in the interval the accusations against the regent's friends and supporters were suppressed.

John Hepburn of Bolton, another of Bothwell's accomplices, was taken about the same time as Hay; but Hepburn's deposition, for some reason unexplained, was not taken for some months afterwards. It is dated the 8th December 1567.

The regent had summoned a Parliament to meet in December, but before it assembled we learn that the bond for the murder of Darnley was committed to the flames by Maitland.[2] It had now been determined by the regent and his Council publicly to accuse the queen of the murder of her husband; and if, as they asserted, they had the proofs of her guilt in their

[1] Drury to Cecil; Record Office.
[2] Drury to Cecil, November 28; Record Office.

hands, there was but one proper course for them to pursue. They were bound in common justice to give the queen notice of their intention, and they were bound to give her an opportunity of appearing to answer the charge.[1] If their proofs had been sufficient, no reason can be suggested why privileges accorded to the meanest criminal should have been denied to her. But the proceedings which her enemies adopted were very different. On the 4th of December, without any previous communication with the queen, they framed, as they say, an Act of Council, in which she was charged not only with the murder of her husband, but with a crime more atrocious still—an intent to murder her child—of which they never at any time ventured to produce a particle of proof.

We have seen that the documents previously published by the insurgent lords abound with falsehood and contradiction, and the same may be truly said of this famous Act of Council. It states, among other matters, "that the cause and occasion of the taking of the queen's person upon the 15th day of June last was in the said queen's own default, in as far as *by divers her previe letters written and subscrivit with her awin hand,* and sent by her to James Earl Bothwell, chief executor of the said horrible murder, it is most certain that she was privy, art and part, and

[1] This circumstance is referred to in the most pointed manner by the lords assembled at Dumbarton on the side of Queen Mary in the month of September following. They declared that "there was nothing done in their [the regent's] Parliament that could prejudge the queen's honour in any sort, her grace never being called nor accused." And they add that "it is against all law and reason to condemn any living creature without first hearing them in their defence."—Goodall, ii. 360.

of the actual devise and deed, of the forementioned murder of the king, her lawful husband.[1]

This Act was signed by at least three of Bothwell's accomplices in the murder—namely, Morton, Maitland, and Balfour; and these men justify the capture and imprisonment of the queen by the proofs of her guilt, contained in her alleged letters to Bothwell. But these same men afterwards declared in the most solemn manner that the letters of the queen did not fall into their hands until she had been a prisoner for several days;[2] so that the effect thus preceded the pretended cause. We can only account for this remarkable discrepancy by the fact, that at the date of this Act of Council they had made no declaration as to the time when and the place where the letters were discovered. No such declaration was made until after the queen had made her escape to England, when the contradiction was probably overlooked.

We have seen that Murray, when he first mentioned the matter to the Spanish ambassador in London, spoke only of "a letter" addressed by the queen to Bothwell; but in the Act of Council they are mentioned in the plural number. There is no mention as yet, however, of the contracts of marriage or the sonnets. No mention, in short, is made of anything excepting the queen's private letters; and these are said to have been not only written, but signed (subscrivit) by her own hand.

A few days after the Act of Council was framed, Parliament met, and in the statute which was passed confirming Murray in the regency we have a fresh description of these all-important letters. They are no

[1] Goodall, ii. 64. [2] On the 20th of June.

longer described as bearing the queen's subscription, but as being "*hailly written with her awin hand;*"[1] and we know that the letters afterwards exhibited by Murray at Westminster were without any signature attached to them.

Hume[2] can suggest no explanation of this material variance between the Act of Council and the Act of Parliament, except that "it was a blunder of the clerk;" and Malcolm Laing accuses of "despicable quibbling"[3] those who point to it as a proof of fraud. But the mere assertion of the one, and the contemptuous denunciations of the other, afford no satisfactory solution of the difficulty. Equally unsatisfactory is the elaborate attempt of Laing to show that the term "previe letters" included also not only the sonnets, but the contracts of marriage. The term "letters," he assures us, has in Scotch a very extensive signification, and comprises many writings in addition to epistolary correspondence; but he has failed to show that, either in Scotch or in any other language, the term "previe letters" ever meant anything except private letters or epistles.

A fact connected with this "Act of Council," which has hitherto escaped notice, may probably afford the real explanation of the variance between it and the Act of Parliament. Our knowledge of the contents of the Act of Council is derived from a copy, or a professed copy, which was transmitted to Cecil, and was afterwards published by Haynes.[4] But it is a most suspicious circumstance that, although the original record of the proceedings of Murray's Privy

[1] Goodall, ii. 67.
[2] Chap. xxxix.
[3] Vol. i. 124.
[4] See also Goodall, ii. 62.

Council is still preserved,[1] the Act of Council is not only not to be found there, but no mention whatever is made of that important document. There is only one entry in the Record dated the 4th December 1567, and that relates to a totally different subject.

This remarkable omission may enable us to account for the different wording of the two Acts. As no record was kept of the Act of Council, there would be no opportunity, at least in Scotland, of contrasting it with the Act of Parliament; and in the copy, or alleged copy, of the former which was sent to England, it might be deemed advisable to state the case as strongly as possible against the queen. There were at the time no means there of disproving the allegation that the letters to Bothwell were actually signed by her; but in Scotland the case was different. Those who produced the letters must have known that they did not bear the queen's signature, and therefore the Act of Parliament did not declare that they were signed, but only that they were written, by her.

Some writers, indeed, have denied that the queen's letters were laid before the Scottish Parliament at all.[2] The Act itself is silent on the subject, and we have no contemporary evidence of the fact; but there is a passage in a declaration drawn up by the queen's adherents some months afterwards[3] which refers to "writings produced in Parliament," and alleged to be in her handwriting, "as it is not." This could hardly refer to anything except the letters; but whether they were signed or unsigned, whether they were in French

[1] In the Register House, Edinburgh. I have carefully examined this record, but no trace of the Act of Council is to be found in it.

[2] Chalmers, i. 419.

[3] On 12th September 1568.—Goodall, ii. 361.

or Scotch, or whether they were produced as originals or copies, we are nowhere informed.

Several of the queen's best friends, and in particular Huntly and Herries,[1] attended this Parliament; and it has been argued that their silence may be taken as an admission of her guilt. But nothing can be more erroneous than to assume that the proceedings of a Scottish Parliament of the sixteenth century bore any resemblance to those of modern legislative assemblies. It is not too much to say that in the former freedom of discussion was a thing unknown. The dominant faction of the day appointed the committee, named the Lords of the Articles, and the only real business of the Parliament was to assent to the measures which they proposed. In proof of what is here stated we have only to remind the reader that in the year 1560 the ancient religion of the country was abolished and a new form of worship established in its place without discussion or debate, although many Catholic peers and prelates were present on that memorable occasion.

The conduct of the regent in thus accusing his sister, without a hearing, of the most atrocious crimes, and the unprecedented severities which he inflicted throughout the Border country, where the inhabitants were known to be favourable to the queen, tended much to diminish his popularity. Great dissatisfaction also continued to be expressed that the murderers of the king still remained unpunished; and in order,

[1] We learn, however, that both these noblemen, as well as Argyll, formally protested on this occasion, that if it should afterwards appear that the queen did not resign her crown of her own free will, they should not be bound by the decision of the regent's Parliament.—See their declaration; Goodall, ii. 362.

apparently, to silence the murmurs of the people, Murray, shortly after the Parliament had risen, caused Hay, Hepburn, and Powrie, as well as Dalgleish, the man upon whom the queen's letters were said to have been found, to be put to death. The proceedings were conducted with extraordinary and indecent haste, for they were all tried, convicted, and executed on the same day.[1] We learn from a source decidedly friendly to the regent,[2] that Hepburn, while he was on the scaffold, declared that Maitland, Huntly, and Argyll had all subscribed the bond for the king's murder. John Hay[3] is said to have named as guilty of the deed a still larger number of persons.

The declarations of Hay and Hepburn, and the universal belief that while the subordinates suffered the principals had escaped, still further shook public confidence in the government of the regent; and, according to the fashion of the day, the discontent of the people was expressed in satirical ballads. Murray was well aware that other perils threatened him. Maitland, so long accustomed to lead and sway the minds of those around him, soon wearied of playing a second part; and the regent knew that at any moment interest or caprice might induce the secretary to turn

[1] On the 3d January 1568.

[2] Drury to Cecil, 4th January; Record Office.

[3] The 'Diurnal of Occurrents' states that John Hay confessed before the whole people that Bothwell, Huntly, Argyll, Maitland, and Balfour, "with divers other nobles of this realm," made a bond for the king's murder, "and that Balfour and Maitland were notoriously known as the principal advisers and counsellors." As to Morton, Hay said he had not seen his subscription, but that Bothwell told him he had subscribed it. The chronicler adds that all the nobles named, except Bothwell, were in Edinburgh at the time, but that after this confession of Hay "incontinently they departed therefrom, which makes the charge against them the more probable."

against him. Lord Fleming, assured of the friendship of the King of France,[1] still held Dumbarton Castle for the queen. Huntly, Argyll, and her other partisans, had acknowledged the regent's authority with notorious reluctance; and he was detested by the Hamiltons, who suspected his designs upon the crown. Murray was too clear-sighted a politician not to perceive the hostile elements which might on any day be arrayed against him, and we need not be surprised that, under the circumstances, he resolved to seek the aid of his old ally the queen of England.

He accordingly despatched Nicolas Elphinstone to London with a copy of his Act of Parliament, which declared that his sister had murdered her husband, and intended to murder her child. But another object of Elphinstone's mission was to obtain money, of which it appears the regent then stood much in need. He therefore sent to London a considerable portion of the queen's jewels, and in particular a valuable set of pearls, which he instructed his emissary to offer for sale to Elizabeth. We have seen that on the occasion of her interview with her brother at Lochleven, Mary had given them into his charge, and that he, with much professed reluctance, had accepted the trust. Yet he now offered to dispose of some of the best of them to Elizabeth, who eventually agreed to purchase what he had no right to sell at the very inadequate price of 12,000 crowns.[2] Murray was in general so careful of appearances[3] that we can only

[1] See his letter to Lord Fleming, March 1568; Teulet, ii. 343.

[2] De la Forest to Catherine de Medici; Teulet, ii. 364. A Genevese jeweller had valued them at 16,000 crowns.—De la Forest to Catherine de Medici; Labanoff, vii. 132.

[3] When his Parliament met in the following August he obtained

account for this flagrant breach of trust partly from his desire to obtain a sum of ready money, but chiefly from his anxiety at this time to propitiate the Queen of England. But it is satisfactory to know that in the latter object he was disappointed. She took his bribe in the shape of an unlooked-for bargain of the finest pearls in Europe, but she wisely declined to meddle in the affairs of Scotland.

In sure anticipation of the coming storm, Murray next applied to France, and entreated Charles IX. to take the infant king under his protection,[1] but with no better success. The French ambassador in London, M. de la Forest, was, in fact, fully informed as to the precarious position of the regent. Two-thirds of the people of Scotland, the ambassador had reason to believe, were ready to rise against their present ruler. He adds, and the information is remarkable, that the enemies of the regent had two objects in view: the first, to liberate the queen; and the second, "that the said regent and his chief supporters [namely, Lethington and three or four others] should clear themselves of the murder of the late King of Scotland—a thing much to be desired, for for a long time it has been confidently asserted that these men were accomplices in the said murder."[2] It is instructive to observe, that notwithstanding all their efforts at concealment, and their numerous devices to

an Act of Indemnity for "his intromissions" with his sister's jewels. —Record Office. But his "intromissions" did not end here, for some of the most valuable of the queen's jewels were in the possession of his wife after his death.—Robertson, Inventories (preface).

[1] See memorandum d'un agent de Murray envoyé vers le Roi de France; Teulet, ii. 349.

[2] Teulet, ii. 345.

throw the whole blame upon the queen and Bothwell, the truth could not be suppressed.

The statement of the French ambassador, that the majority of the people of Scotland were ready to rise in favour of the queen, was speedily confirmed. She had spent the winter in close confinement at Lochleven; but three of her ladies—Mary Seton, Jane Kennedy, and Marie Courcelles—had been allowed to share her prison, and to these devoted friends she was finally indebted for her deliverance. The plan of the escape appears to have been arranged by Marie Courcelles, with the aid of George and William Douglas, two youths, both under twenty—the one being the son and the other the page[1] of the lady of Lochleven. On

[1] Commonly called Willie Douglas. He was said to have been a foundling who was brought up at Lochleven, and adopted the name of the family.

What portion of the castle was occupied by the captive queen is now only matter of conjecture. It is the first question which every one naturally asks on visiting Lochleven, but it seems now at least incapable of any conclusive reply. Mr Froude (vol. ix. p. 158) describes the queen's habitation in this interesting spot as "a round turret from seven to eight feet in diameter, divided into three rooms, one above the other, the height of each may have been six feet." He adds: "The communication from room to room must have been by ladders, for there was no staircase outside, and no space for one within."

Mr Froude has here described a tower detached from the castle, and standing at an angle of the outer wall. But he has much understated its true dimensions, which have been kindly furnished to me by Mr David Marshall of Kinross, whose accurate acquaintance with the locality is well known to all visitors at Lochleven. Yet making allowance for all miscalculations, it is difficult to believe that the queen and the three companions of her captivity, with their attendants, should have been immured in a building no bigger than a dovecot. Sir Walter Scott, with greater probability, places Mary's apartments in the upper part of the main building, above those occupied by the family.—See the Abbot. On the other hand, we learn from Pennant, who wrote about a century ago, that in his day the belief in the district was that the portion of the castle which Mary occupied no longer existed. The statement of Pennant is corroborated by Grose in his Antiquities; and the conclusion arrived at by these authorities may very probably be the true one, for even the portion

Sunday evening the 2d of May, while the household were at supper, the younger Douglas contrived to obtain possession of the keys of the castle, and opening a postern gate which was close to the water, he was joined by the queen, who had exchanged dresses with Mary Seton, and by two of her attendants. Stepping into a boat which lay in readiness, they were quickly rowed to the western shore of the lake, where Lord Seton, with a small body of horse, was anxiously awaiting their arrival. That faithful adherent of Mary through all her changing fortunes, escorted her with the utmost speed to his Castle of Niddry, in West Lothian, where she arrived at a late hour in the night. Early next morning she proceeded to Hamilton, where in the course of a very few days she found herself at the head of an army of 6000 men. It is worthy of note, that on her escape from Lochleven she found that, with the exception of Lord Seton, her most prominent supporters were Protestants. Among the latter we find Huntly and Argyll; Lord Claud Hamilton, chief of the name then in Scotland; the Earls of Cassilis, Eglinton, and Rothes; and the Lords Herries, Livingstone, and Fleming.[1]

of the castle assigned to the captive queen by Scott seems strangely inadequate for the purpose.

The tower referred to by Mr Froude was obviously intended to guard the outer wall, although a portion of the building may have been used as a prison. An expression of Mary in her answer to the charges made against her at York may possibly throw some light upon the subject. In describing the harsh conduct of Lord Lindsay when he forced her to resign the crown, she says that he threatened her "that gif she wold nocht subscryve, he had command to put her presently in the *towre*, and wold do the same," &c.—Goodall, ii. 167. I cannot help thinking that the tower in question is the one to which she here refers. At all events there is no other now extant to which the description would apply.

[1] Keith, ii. 798.

No circumstance in the life of Mary Stewart is more remarkable than this. That in spite of all the efforts of Murray and his faction, and in spite of all the violence of the preachers, she—the Catholic Queen of Scotland, the daughter of the hated house of Guise, the reputed mortal enemy of their religion—should now, after being maligned as the most abandoned of her sex, find her best friends among her own Protestant subjects, appears at first sight inexplicable. A phenomenon so strange admits of only one explanation. If throughout her reign she had not loyally kept her promises of security and toleration to her Protestant subjects, they assuredly would not in her hour of need have risked their lives and fortunes in her defence.

Although the regent was in possession of the government, he could only by the most strenuous efforts muster 4000 men to oppose to the forces of the queen.[1] He knew, moreover, that one of her principal supporters, the Earl of Huntly, was marching from the north with numerous reinforcements, to join the royal army at Hamilton. Yet he refused all offers of accommodation from his sister, who, ever averse to bloodshed, was anxious to come to terms with her opponents. Having tasted the sweets of power, Murray was resolved not to abandon it without a struggle. The Hamiltons, confiding in their superior numbers, and eager to crush the man whom they regarded as the great enemy of their house, were equally desirous to come to blows

[1] All contemporary authorities seem to agree that the queen's forces outnumbered by a third those of the regent at Langside; yet Mr Froude does not hesitate to assert, upon his own authority, for he gives no other, that Murray was "at the head of a force, better armed, better appointed, and outnumbering hers."—Vol. ix. 222.

without awaiting the arrival of Huntly and his numerous train of vassals. The queen was thus, against her better judgment, induced to fight the fatal battle of Langside, where the military skill of the regent and of the Laird of Grange obtained a complete triumph over the unavailing gallantry of the Hamiltons.

After witnessing the defeat of her army, the queen fled[1] first to the seat of Lord Herries, near Dumfries, and thence to the Abbey of Dundrennan. Although she had lost a battle, her position was by no means desperate. Her troops still held Dumbarton Castle, and in the north Huntly, Sutherland, and Ogilvie were in command of a considerable force. Throughout the Border country the most powerful families—the Scotts of Buccleuch, the Kerrs, the Maxwells, and the Gordons of Lochinvar—were all devoted to her service; and in many a stronghold of those hardy barons she might for months have set the regent at defiance. But instead of trusting to the loyalty of the Borderers, she determined to throw herself on the hospitality of the Queen of England. It was in vain that her most trusty counsellors sought to dissuade her from this hazardous step. She relied with absolute confidence on the warm professions of friendship and

[1] De Beaumont, a French envoy, who was at Hamilton, was astonished at the rapidity with which a royal army was assembled after the queen's arrival; and everything shows that her popularity at this time far exceeded that of the regent.—Melvill, 90. Mr Froude, however, informs his readers, still without any authority, that she was an object of such detestation that "peasants, as she struggled along the bylanes, cut at her with their reaping-hooks."—Vol. ix. 227. But there must be some strange mistake here, for never within human memory did reaping commence in Scotland in May, and Langside was fought on the 13th of that month.

attachment which during her captivity at Lochleven she had received from Elizabeth;[1] and leaving the Scottish coast in an open boat, she landed the same day, being the 16th of May, at Workington, on the opposite side of the Solway. Three of her nobles—the Lords Herries, Livingstone, and Fleming—accompanied her to England. These stanch adherents of the royal fugitive, we have already stated, were all Protestants.

Lord Scrope, the Warden of the Western Marches, was at this time in London; but Mary was received by the deputy-warden, Mr Lowther, with all the respect due to her rank and her misfortunes. Attended by a number of the gentlemen of Cumberland, he accompanied her to Carlisle; and thinking, no doubt, to recommend him to the favour of his sovereign, she addressed a letter to Elizabeth, expressing her lively sense of the attention and courtesy with which she had been treated by her representative. But Mary little knew the jealous nature of her kinswoman. The

[1] In a letter addressed by Mary to Elizabeth many years afterwards, *i.e.*, in 1583, she reminds her sister queen of her repeated promises of friendship and hospitality while she was a prisoner at Lochleven, and in particular of a diamond ring which she sent to her as a pledge of her sincerity. Mary adds, that on her escape from Lochleven she despatched a messenger to Elizabeth to remind her of her promises, and that after the defeat of Langside she did not hesitate, after so many friendly messages, to avail herself of her proffered hospitality. This letter, which contains, besides, much important matter, clearly explains the motives which induced Mary, in opposition to the advice of her best friends, to seek a refuge in England; and it explains no less clearly the motives which induced Elizabeth to avoid an interview with her prisoner during her long captivity.—See the letter in Labanoff, v. 323. We have seen that Throgmorton and Cecil entirely corroborate Mary's account of Elizabeth's conduct while the former was at Lochleven. It appears further, that when before her judges at Fotheringay, Mary displayed the ring which their mistress had sent her as a pledge of her friendship and affection.

deputy-warden had been too attentive to the Scottish queen; and to prevent his example being followed by her other subjects, she imposed upon him a fine which obliged him to part with two of his estates.[1]

These was one point, however, upon which Mary was not mistaken. We learn from a source by no means friendly to Elizabeth, that on hearing of Mary's arrival in England, her first impulse was to give a cordial welcome to the royal exile. "I am assured," writes the French ambassador to his master, "that this queen has in her Council, *with all her might*, taken the part of the Queen of Scots, giving all who heard her to understand that she desired to receive and to honour her in a manner suitable to her former dignity and greatness, and not to her present fortune."[2] We have here a further proof that Elizabeth was at this time sincere in her professions of sympathy for her sister queen. But De la Forest adds that the great majority of her Council were opposed to her wishes; and we know that she eventually allowed herself to be overruled by Cecil and his supporters.

But Cecil had not yet made up his own mind as to the disposal of the Scottish queen. Although accustomed steadily to adhere to any line of conduct he had once adopted, the process by which he arrived at a decision was slow and laborious. Upon one point only he made up his mind without loss of time. In a paper still extant, in his own handwriting, and probably composed immediately after the news of Mary's

[1] This circumstance was recently communicated to the writer by the present Earl of Lonsdale, the descendant and representative of the deputy-warden.

[2] De la Forest au roy; Teulet, ii. 369.

arrival had reached London, he says,—"The surety of the Queen of Scots is first to be considered, that by no practice she should be conveyed out of the realm."[1] In his opinion, therefore, she was a prisoner, and that the utmost precautions should be forthwith taken to prevent her escape.[2]

It was not until the 20th of June that a final decision was taken. On that day the council of ministers resolved that the Queen of Scots should be removed from Carlisle, lest, from its vicinity to the Border, she should escape. It was further resolved, notwithstanding any objections she might urge to the contrary, that the Queen of England "should proceed to be informed of the cause betwixt the Queen of Scots and her subjects. In the hearing whereof it is thought good, for avoiding of all mistaking, that no prince's ambassadors to be named by the Queen of Scots shall be excluded." After next alluding to the danger of permitting her to proceed to France, to her refusal in times past to confirm the treaty of Edinburgh, and to her unauthorised marriage with her late husband, who was a subject of the Queen of England, the paper containing these resolutions concludes as follows: "That neither the queen's majesty, with honour or surety to herself, nor yet with quietness of the realm, give her [the Queen of Scots] aid, nor permit her to come to her presence, nor to be restored, nor to depart this realm, before her cause be honourably tried."[3]

The iniquity of these resolutions was transparent

[1] Caligula, c. i. f. 66.

[2] The eagerness with which Cecil pounced upon his prey strengthens our belief that he had counselled his mistress to intercept Mary on her return from France to Scotland.

[3] Caligula, c. i. f. 103.

even to their authors. In a paper in Cecil's hand, still extant, and entitled 'Pro Regina Scotorum,' he demolishes at a blow the whole of the arguments upon which they are based. He says: "She is to be helped, because she came willingly into the realm upon trust of the queen's majesty. She trusted upon the queen's majesty's help, because she had in her troubles received many messages to that effect. She is not lawfully condemned, because she was first taken by her subjects, by force kept in prison, put in fear of her life, charged with the murder of her husband, and not admitted to answer thereto, neither in her own person nor by advocate, before them which in Parliament did condemn her."[1]

But the final step was now taken, and after a month of anxious deliberation, Elizabeth allowed her inclinations to be overruled. Yet who now can doubt that in her first intentions she was wiser than the wisest of her ministers? Who now can doubt that, setting aside all considerations of morality and justice, the forcible detention of the Queen of Scots was a political blunder of the first magnitude? It were idle to speculate on the consequences which might have ensued had she been allowed, as she so earnestly desired, to proceed to France. But of this we have abundant proof, that as the inmate of an English prison, she proved a far more formidable enemy to Elizabeth than when she wore the crowns both of France and Scotland. Little, indeed, did Cecil foresee, when he was busily framing one hollow pretext after another for detaining the royal fugitive, what a future he was preparing for his mistress. Nineteen years of successive insurrec-

[1] Caligula, c. i. f. 103.

tions and conspiracies and plots, all to be quenched in blood—the best and bravest in the land. Nineteen years of incessant remonstrance and recrimination, of incessant anxiety and danger, as well from foreign as domestic foes, to be followed by an eternity of infamy at last. It is well for mankind that acts of national injustice should rarely pass unpunished; and never did a political crime entail a heavier measure of retribution than the captivity and murder of the Queen of Scots.

CHAPTER XI.

THE CONFERENCE AT YORK.

Two days after the meeting of the Council, Lord Herries, who had arrived in London as the representative of the Queen of Scots, had a long interview with Queen Elizabeth. She explained, in the most friendly terms, why, in the present state of affairs, his mistress could not be received at Court. She said that his mistress well knew the scandalous reports which her subjects had spread throughout the world respecting her, and that the honour of both queens required that the matter should be investigated: that, being the friend of the Queen of Scots, she had no desire to constitute herself an arbitress between her and her subjects; but that "the men who had deprived her of her crown, and of everything else besides, should be made to explain by what authority they had exercised such extraordinary powers." She added, that she wished the Queen of Scots to come to some place within fifty or sixty miles of London, where the inquiry might take place before certain members of her Council to be subsequently named.[1]

Lord Herries, like the French ambassador,[2] appears

[1] Lord Herries à Marie Stuart, 23d June 1568; Teulet, ii. 386.

[2] De la Forest au roy, 11th July; ibid., ii. 389. Speaking of Eliza-

to have entertained no doubt of the friendly intentions of Elizabeth at this time, and he raised no serious objection to the proposed inquiry. He only suggested, that as he understood James Macgill, "a subtle chicaner and imbroiler of the laws," was on his way to London with certain pretended Acts of Parliament declaring that the Queen of Scots had voluntarily resigned her crown, he ought not to be permitted to come to Court. "It is true," replied Elizabeth; "I will not suffer Macgill to come into my presence, or any one of those who has taken part against your mistress."[1] We shall find that Mary had reason subsequently to complain of the violation of this promise.

It was obviously a serious error on the part of Mary to listen to any such proposal as now was made. It was impossible to expect that any inquiry suggested by Cecil should be impartially conducted; and had she simply stood upon her rights as a sovereign princess, and refused to take part in any such proceeding, she would have placed that minister and his supporters in a very serious dilemma. They would have been compelled either to allow her to proceed to France, as she desired, or to detain her a prisoner in defiance of all law and reason. But Mary still clung to the belief, and not without some reason, that Elizabeth was her friend; and in this belief she finally consented to the conference. In so far as her reputation is concerned, it is not to be regretted that she did so, as otherwise the evidence upon which the charges made against her were founded would never have seen the light of day.

beth, he says, "Comme elle dit, j'estime qu'elle n'endurera point qu'il luy soit faict aucun déshonneur."

[1] Teulet, ii. 387.

Murray, having been duly apprised of the projected conference, had in the interval addressed a most singular request to Elizabeth. It will be best explained in his own words. "It may be," he says in his letter to the English queen, "that such letters as we have of the queen our sovereign lord's mother, that sufficiently, in our opinion, prove her consenting to the murder of the king her lawful husband, shall be called in doubt by the judges to be constituted for the examination and trial of the cause, whether they may stand or fall, prove or not. Therefore, since our servant Mr John Wood has the copies of the same letters *translated in our language*, we would earnestly desire that the said copies may be considered by the judges that shall have the examination and commission of the matter, that they may resolve us thus far in case the principal agree with the copy, that then we prove the cause indeed; for when we have manifested and shown all, and *yet shall have no assurance that what we send shall satisfy for probation*, for what purpose shall we either accuse or seek to prove, when we are not assured what to prove, or when we have proved, what shall succeed?"[1]

We shall say nothing of the extraordinary nature of these demands; but we would call the reader's attention to the manifest anxiety betrayed by the regent and his friends as to the sufficiency of the proofs which, as they alleged, they held against their sovereign. How is this to be explained? If her letters to Bothwell were genuine, no rational being could entertain a doubt of her guilt. Why, then, take the unheard-of precaution of requesting the Queen of England to obtain beforehand from the judges not an opinion merely, but

[1] Goodall, ii. 75.

a positive assurance that their proofs were sufficient? These questions admit but of one reply. If the letters had been genuine, no possible uneasiness could have been entertained as to the result. But guilt makes cowards of the wisest and the bravest; and the natural fears and hesitation of the forger are visible in every line of Murray's letter. We are not aware what reply, if any, was returned to it by Elizabeth.

Each fresh appearance of these famous letters gives rise to fresh suspicions. Murray does not send copies to Elizabeth, but translations "in our language"—that is, in the Scotch. But Elizabeth was better acquainted with French than with Scotch. We know this from the fact that when Murray himself appeared at Court to exonerate her from the charge of stirring up the rebellion in Scotland at the time of Darnley's marriage, and he began to speak in his native tongue, she told him to speak in French.[1] The circumstance of the letters being sent up in Scotch leads us to suspect that no French version of the most important of them as yet existed.

Mary in the mean time remained a prisoner in the Castle of Carlisle, where she had been visited shortly after her arrival by the warden of the marches, Lord Scrope, and Sir Francis Knollys, vice-chamberlain to Elizabeth. Their letters, written on the spot, are highly interesting, and it is worthy of note that they seem less impressed with the external graces of the Scottish queen than with her mental and moral qualities. They describe her, after their first interview, as possessing "an eloquent tongue and a discreet head, with stout courage and a liberal heart."[2] And in a subsequent letter Knollys says, "Surely she is a rare woman; for

[1] *Ante*, chap. iii.

[2] Goodall, ii. 70.

as no flattery can abuse her, so no plain speech seems to offend her if she thinks the speaker an honest man."[1] We may add that Scrope and Knollys gave much better advice to their mistress than she had received from Cecil. They ask whether[2] "it were not honourable for you, in the sight of your own subjects, and of all foreign princes, to put her grace to the choice, whether she will depart freely back into her country without your highness impeachment, or whether she will remain at your highness devotion within your realm here, with her necessary servants only to attend her?" Scrope and Knollys expressed themselves exactly as English gentlemen might under similar circumstances at the present day; but their advice was far too sound and simple to be followed in an age when policy was synonymous with fraud.

On the occasion of their first interview, Mary expressly charged Morton and Maitland with the murder of her husband, "although now they would seem to persecute the same."[3] We mention the circumstance here because Hume says that she only accused these men by way of recrimination after she herself had been charged with the crime. The fact is, that she did so on her very first meeting with an accredited representative of Elizabeth in England, and before any kind of inquiry or conference had been proposed. We learn further, that no time was lost in communicating the result of this conversation to the parties interested. On the 12th of June John Wood wrote to Maitland,[4]

[1] Chalmers, i. 442. This agrees exactly with what Melvill says, that she asked him to tell her of her faults.—Memoirs, 53.

[2] Goodall, ii. 72. [3] Ibid., ii. 71.

[4] From Chiswick. The original is at Hamilton Palace.—See Miscellany of the Maitland Club, iv. 120.

informing him that the queen had declared that both he and Morton were guilty of the king's murder; "which," he says, "I am willed to signify unto you, that he [Morton] may consider thereof." Wood concludes his letter with the following significant words: "Mr Secretary here, and also Sir Nicholas, your friends, are both direct against your coming here to this trial, and that James Macgill must come up, as I have written to my lord his grace."

Macgill was not, so far as we know, implicated in the murder; but the English ministers, Cecil and the lord keeper, seem to have thought that the charge made against "their friends" Morton and Maitland might be true, and they could not fail to perceive the danger of allowing the Queen of Scots a public opportunity of turning the tables upon her accusers.

On the 16th of July Mary was removed, for further security, to Bolton Castle, in the North Riding of Yorkshire. It is surprising that even this suspicious step did not open her eyes to the real designs of her enemies; but she still trusted in her sister queen, and, with her habitual forgetfulness of injuries, she even began to dream of coming to some terms with her rebellious subjects. Strange that, with all her powers of intellect, she could not foresee that men who had already so deeply wronged her would necessarily seek their own security in her destruction.

It was arranged that the proposed conference should be held at York, and in the beginning of October the representatives of the Queen of England and of the Queen of Scots met in that city. Elizabeth appointed as her commissioners the Duke of Norfolk, the only peer in the realm who then enjoyed the

highest title of nobility; the Earl of Sussex, President of the Council of the north; and Sir Ralph Sadler, Chancellor of the duchy of Lancaster. The Queen of Scots appointed as her commissioners John Leslie, the Bishop of Ross; the Lords Herries, Livingstone, and Boyd; the Abbot of Kilwinning; Sir John Gordon of Lochinvar; and Sir James Cockburn of Skirling. The Regent Murray attended in person, as representing the infant King of Scots; and the Earl of Morton, Adam Bothwell, the Protestant Bishop of Orkney, the Abbot of Dunfermline, and Lord Lindsay accompanied him as commissioners. The regent was also accompanied by several assistant-commissioners, among whom were Maitland, the secretary, and George Buchanan, whose literary services had now been purchased by the confederate lords. James Macgill and Henry Balnaves, both lawyers, and well-known enemies of the Queen of Scots, also accompanied the regent as assistant-commissioners.[1]

Mary's instructions to her commissioners were drawn up at considerable length, and they contained one article—namely, the 7th—which is especially deserving of attention; it runs as follows: "In case they allege they have any writings of mine which may infer presumptions against me, ye shall desire that the principals to be produced, and that I myself may have inspection thereof and make answer thereto; for ye shall affirm in my name I never wrote anything concerning that matter to any creature: and if any such writings there be, they are false and feigned, forged and invented by themselves to my dishonour and slander; and there are persons in Scotland, both

[1] Goodall, ii. 109.

men and women, who can counterfeit my handwriting, and write the like manner of writing which I use as well as myself, and principally such as are in company with themselves;[1] and I doubt not, if I had remained in my own realm, I should before now have discovered the inventors and writers of such writings, to the declaration of my innocence, and the confusion of their falsehood."

It appears, therefore, that Mary fully expected that her alleged letters to Bothwell would be produced at York, and that she was prepared to answer them. We know, further, from the many statutes passed against it, that the crime of forgery was very common at this time in Scotland, and that the queen's handwriting, which was large and round, might have been easily imitated by any one versed in that art.

It had been agreed, in terms of Elizabeth's proposal to Lord Herries, that Mary should be the plaintiff in the extraordinary suit which was now about to be tried; or, as Elizabeth expressed it, that the men who had deprived her sister queen of her crown should be called upon to justify their conduct. Accordingly, after one or two preliminary meetings—in the course of which the commissioners of the Queen of England took a solemn oath that they would proceed "sincerely and uprightly," and should not, "for affection, malice, or any other worldly respect, lean or adhere to the one party or the other more than reason, equity, and truth will bear"[2]—the proceedings were commenced on the 8th of October by the presentation of

[1] This is supposed to refer to Maitland.
[2] Goodall, ii. 121.

a complaint on the part of the Queen of Scots against the regent and his associates.

This paper stated shortly that the Earl of Morton and his confederates had taken the Queen of Scots prisoner, and confined her in the Castle of Lochleven; that the Earl of Murray had thereafter usurped the regency; and that, in consequence of his unlawful proceedings, she had been compelled to seek a refuge in England.[1]

The obvious and indeed the only answer to this complaint was, the accusation of the Queen of Scots of the murder of her husband; and if the evidence in the regent's hands would have borne examination, it is impossible to explain why it was not forthwith produced.[2] The complaint of the queen was a challenge to her enemies to justify their conduct as they best might; and that they should have shrunk at the critical moment from bringing forward their long-threatened accusation is a circumstance entirely in accordance with the suspicious character of their whole proceedings. It is idle to assert, as Murray afterwards pretended, that he was loath to accuse his sister of the murder;—he had already done so in the most public manner by a public Act of Parliament, a copy of which he had sent to the Queen of England; nor is it possible to suggest a motive for his silence

[1] Goodall, ii. 128.

[2] Robertson attempts to explain the suspicious silence of Murray by stating that he was at this time in communication with the Duke of Norfolk respecting his marriage with the Queen of Scots.—Vol. ii. 279. But this is a mistake, for no such communication took place between them for some time afterwards. The real reason of Murray's reluctance to produce his proofs is stated in the letter of the Earl of Sussex, to which we shall presently refer, and which Robertson never saw.

except a well-grounded conviction of the insufficiency of his proofs.

The answer of Murray to the queen's complaint was in effect as follows: After referring to the death of Darnley, the captivity and marriage of the queen, and the resolution of the confederate lords to punish Bothwell for his crimes, it went on to state that at Carberry Hill, although challenged to meet in single combat several of the lords, "he utterly refused," and escaped by flight; that the queen thereafter, instead of consenting to a divorce, rigorously menaced all who had taken part against him; that her obstinacy induced them to imprison her for a season, until justice should be done upon the murderer; that in the interval, finding herself oppressed and wearied with the cares of government, she voluntarily resigned her crown to her dear son, and, in respect of his tender years, "constituted me, the Lord of Murray, being then absent furth of the realm, and without my knowledge, regent," and that such appointment was afterwards ratified in Parliament; that, notwithstanding, certain of the nobility who had approved by their votes of these proceedings, instigated and aided the queen to escape from Lochleven, but that their enterprise, as all the world knew, had miscarried in respect of the iniquity of their cause.[2]

It is instructive to observe that the regent and his friends never attempted any justification of their conduct without involving themselves in transparent falsehood. In this answer to the queen's complaint there are two allegations in particular so notoriously untrue, and so easy to be refuted, that we feel sur-

[1] Goodall, ii.

prised that a politician so astute as Murray should have made them. The first of these was, that the queen, wearied with the cares of government, had voluntarily resigned her crown; the second, that she had appointed him regent before his return to Scotland, and even without his knowledge. The only explanation which can be suggested for these extraordinary allegations is, that although their falsehood would have been at once detected by any man in Scotland, to whichever party he belonged, they were addressed to English commissioners in England, whose information on the subject was necessarily imperfect.

It was an easy task for the Queen of Scots to reply to the feeble defence of the regent. First, with regard to Bothwell, her commissioners stated that if he was the murderer of the king, that circumstance was not only unknown to her, but that the men who now accused him of that crime had themselves recommended him as the fittest husband she could find "in all the realm of Scotland;" that the same men who had recommended Bothwell for her husband, immediately after her marriage rose in arms against her; that, desiring to spare the blood of her subjects, and believing in the protestations of the Laird of Grange, she had passed over to the camp of the confederates at Carberry Hill, and that instead of making Bothwell a prisoner, which they might then have done, they not only allowed him to ride unmolested off the field, but they never made any serious attempt to apprehend him until he had quitted Scotland; that, misled by the fair words of Grange and the Earl of Morton, she had trusted to the honour and loyalty of the confederate lords, and when she found that she had been so miser-

ably deceived, "it was no wonder that her majesty had given them quick and sharp answers;" that instead of voluntarily resigning her crown, as her enemies alleged, she had done so only at the earnest solicitation of the Earl of Atholl, the Lairds of Tullibardine and Grange, Robert Melvill, and the English ambassador, Sir Nicolas Throgmorton, all of whom assured her at the time that by no other means could she hope to save her life; that not one-tenth part of the nobility and clergy entitled to vote in Parliament took part in the pretended coronation of her son; that even if she had nominated the Earl of Murray to the regency after resigning her crown, which she had not, such nomination would have been absolutely void, as there were others who by the law of Scotland were entitled to that office in preference to him; finally, that at the pretended Parliament summoned by the Earl of Murray, several of the principal nobility formally protested against all proceedings affecting her rights and privileges as Queen of Scotland, but that all such protestations had been carefully suppressed by her enemies.[1]

The reply of the Queen of Scots was presented to Elizabeth's commissioners on the 16th of October; but they had previously received certain clandestine communications from the Earl of Murray, to which it is necessary to refer.

On the 9th of October, the day after the queen's complaint had been given in, Murray privately submitted the following four queries to the English commissioners: first, Whether they had authority from

[1] Goodall, ii. 162. She alludes to Huntly, Argyll, and Herries.—*Ante*, 382.

their sovereign to pronounce sentence against Mary, in case she should be proved guilty? secondly, Whether, having such authority, they would promise to the regent and his friends to pronounce such sentence without delay? thirdly, Whether, in the event of her being found guilty, she should be delivered into the hands of the regent, or at least be so secured in England that she never should have the means of disturbing the government of the king and the regent in Scotland? and fourthly, Whether, in that case, the Queen of England would approve of their proceedings in times past, and protect the king and the regent in the exercise of their authority?[1]

It is clear that all such points ought to have been settled before the proceedings commenced. It is equally clear that if Elizabeth's commissioners had acted fairly between the parties, they would have communicated the demands of Murray to the Queen of Scots. But they received them in secret, and they transmitted them in secret to Elizabeth for further instructions; and before they could receive a reply, the regent had taken another step of a still more remarkable kind.

On the 11th of October, the day after his answer to the complaint of the Queen of Scots had been given in, he sent four of his assistant-commissioners—namely, Maitland, Buchanan, Macgill, and Balnaves—to the lodgings of Elizabeth's commissioners. Murray had attempted, as we have seen, some months before, to obtain an *ex parte* opinion of the commissioners as to the sufficiency of his proofs; and before venturing to accuse the Queen of Scots of the murder, he now carried out

[1] Goodall, ii. 130.

his intention by submitting them, "in private and secret conference,"[1] to the Duke of Norfolk and his colleagues. It is hardly necessary to say, that to examine these proofs in the absence and without the knowledge of the opposite party, was an undoubted breach of that neutrality which Elizabeth's commissioners had sworn to observe.

The despatch addressed by the latter to Elizabeth after this interview is still extant, and it is important, as containing the first accurate description which we possess of the famous letters of the queen to Bothwell. In addition to the two contracts of marriage and the sonnets, there were produced five of the eight letters which have already been laid before the reader. Of these five letters we find, from the extracts and references made by the commissioners, that two were the Glasgow letters, produced to prove, no doubt, that the queen was guilty of the murder; two were from Stirling, to prove that she was carried off by Bothwell with her own consent; and the fifth was the one in which she speaks of Jason and Medea, and which we have stated our belief to be a genuine production of the Scottish queen, but addressed not to Bothwell but to Darnley.

The only apparent reason for exhibiting this last letter was an expression contained in it to which reference has been already made. Among the extracts made by the commissioners, and which they transmitted to Elizabeth, they say that the queen specially charged Bothwell "to make good watch that the bird escaped not out of the cage."[2] We have already shown[3] that the words "make good watch" are not

[1] Letter of the commissioners; Goodall, ii. 140.
[2] Goodall, ii. 150. [3] *Ante*, chap. v.

to be found in the original French of this letter, and that they have been plainly introduced into the Scotch version to give a criminal colouring to a sentiment perfectly innocent in itself.

It has been already stated, that from the extracts given by the commissioners, as well of this as of the other letters, we know that they were all produced in Scotch; and further, that they were exhibited neither as copies nor translations, but as the actual letters of Queen Mary. Yet we shall find that the same men who produced these letters privately at York afterwards produced the same letters publicly at Westminster in French, and affirmed no less solemnly that the latter were the originals.

There was also produced at this time a letter of which no mention was ever made before, and of which we never hear again. It is thus described by the commissioners in their letter to Elizabeth: "After the devise of the murder was determined, as it seemed by the sequel, they inferred, upon a letter *of her own hand*, that there was another meane of a more cleanly conveyance devised to kill the king; for there was a quarrel made betwixt him and the Lord Robert by carrying of false tales betwixt them, the queen being the instrument, *as they said*, to bring it to pass; which purpose, if it had taken effect, as it was very likely (for the one giving the lie to the other, they were at daggers-drawing), it had eased them of the prosecution of the devilish fact which, this taking none effect, was afterwards most tirannously[1] executed."

We have seen that Darnley, a few days before his death,[2] had a violent altercation with Lord Robert

[1] Goodall, ii. 142.

[2] *Ante*, chap. v.

Stewart; but that the queen, instead of fomenting it, as Buchanan in his 'Detection' asserts, prevented mischief taking place by bringing Murray to the spot, with whose aid she was enabled to preserve the peace. Murray himself was therefore well acquainted with the circumstances to which this letter referred, and he probably, on consideration, perceived that it was too absurd to assert that the queen had first instigated the quarrel between her husband and the Lord Robert, and then taken means to prevent the catastrophe she so earnestly desired. This circumstance, at all events, sufficiently accounts for the disappearance of this letter, which was not produced at Westminster, and, so far as we know, was never produced again.

But there was a still more important piece of evidence produced in private at York, of which we never hear more. This was a warrant, signed, as Maitland and his associates declared, by the queen's own hand, authorising the nobility assembled at Ainslie's supper to sign the bond approving of her marriage with Bothwell; "and that before they had such warrant there was none of them that did or would set to their hands saving only the Earl of Huntly."[1] The importance of this document, in connecting the queen so directly with the schemes of Bothwell, is manifest; and if it had been genuine, we cannot for a moment doubt that it would have been produced at Westminster.

But there was an excellent reason why this pretended warrant should only have been exhibited in private. Two at least of Mary's commissioners—the Lords Boyd and Herries—had been present at Ainslie's supper, and both had signed the bond. They could,

[1] Goodall, ii. 140.

of course, have readily confirmed or contradicted the story of the warrant; but no such opportunity was ever afforded them.

The Queen of Scots was speedily informed, through the treachery of Maitland, of the clandestine proceedings which had taken place at York; and she complained immediately on the subject to Sir Francis Knollys, who had accompanied her to Bolton Castle. Knollys pleaded ignorance, although he well knew that the English commissioners had examined in private all the evidence her enemies had to produce against her. Mary, on her first interview with Knollys, had charged Morton and Maitland with the murder; and referring to what had taken place at York, she said, "If they will fall to extremity, they shall be answered roundly and to the full, and then we are past all reconciliation."[1] We may infer from this remark that Mary was credulous enough still to look for justice, even after what had passed, at the hands of Elizabeth's commissioners.

Elizabeth, too, had been duly acquainted with the proceedings of her commissioners; but instead of replying directly to the queries submitted by Murray, she desired that Sir Ralph Sadler should come up to London, and should there consult with Maitland on the part of the regent, and with Lord Herries upon the part of the Queen of Scots, as to their future proceedings.[2] She further proposed that her commissioners, instead of pursuing their labours at York, should remove to London, in order that any difficulties that

[1] Sir F. Knollys to the Duke of Norfolk, 15th October 1568; Goodall, ii. 159.

[2] Goodall, ii. 170.

might arise might be solved without delay. Mary, with characteristic facility, agreed at once to this fresh arrangement, without stipulating that, as had been first suggested,[1] she should reside during the inquiry within a moderate distance of the capital. She thus consented to remain a prisoner in a remote part of the kingdom, while the conference was in future to proceed under the immediate eye of Elizabeth and her ministers.

Mary would hardly have agreed so readily to this fresh arrangement, if she had been aware of the contents of the concluding paragraph of Elizabeth's letter of instructions to her commissioners. It runs as follows: "In the dealing herein, you shall do well to have good regard that none of the Queen of Scots' commissioners may gather any doubt of any evil success of her cause, but *that they may imagine this conference of ours was principally to be meant how her restitution may be devised* with surety of the prince her son, and the nobility that have adhered to him," &c.[2]

Before proceeding with our narrative, it is important to ascertain as far as possible what opinion was formed by Elizabeth's commissioners respecting the evidence against the Queen of Scots which they had privately examined.

It is said that the Duke of Norfolk at first believed the letters to be genuine, and this is very probable. The fact that he imparted the secret to his servant Bannister[3] at once, and thus made up his mind on a mere *ex parte* statement of Mary's enemies, is sufficiently indicative of his weak and credulous character.

[1] By Elizabeth to Lord Herries; *ante*, 395.
[2] Goodall, ii. 172. [3] Howell's State Trials, i.; trial of the duke.

On the 12th of October, the day after he had seen the letters, he writes to the Earl of Pembroke, still full of the subject, and still apparently believing in Mary's guilt;[1] but three days later—namely, on the 15th—he writes to Cecil in a different strain. He says that this affair is the most perilous and perplexing he ever engaged in; and that the affirming and denying upon both sides surpasses belief. The Queen of Scots, he thinks, has better friends on the regent's side than on her own—alluding, no doubt, to the intrigues of Maitland; and he further informs Cecil that if she is formally accused, she will desire to be present in person —"a thing," he adds, "that, in my opinion, hath need of good consideration."[2] We shall find that, upon this point at least, Norfolk was correctly informed.

Sir Ralph Sadler had been intimately acquainted with the affairs of Scotland before Mary was born; but he expressed individually, so far as we are aware, no opinion respecting the evidence produced against her; and the silence of the veteran diplomatist is more significant than the loquacity of Norfolk.

But a letter from the third commissioner gives us a complete insight into his views of the proceedings at York. The Earl of Sussex was a politician as well as a soldier; and Cecil wrote confidentially to him, asking both for information and advice as to the future proceedings of the conference. The reply of Sussex is dated the 22d of October, eleven days after he had examined the evidence produced against the Queen of Scots, so that he had ample time to consider the question at issue in all its bearings.

After stating that it is in full reliance of Cecil's

[1] Goodall, ii. 153. [2] Ibid., ii. 157.

promise of secrecy that he imparts to him "what by any means I conceive in this great matter," he goes on to say that he thinks the accusation of the Queen of Scots will hardly be attempted; "for that if her adverse party accuse her of the murder by producing of her letters, she will deny them, and accuse the most of them *of manifest consent to the murder, hardly to be denied, so as upon the trial on both sides* HER PROOFS WILL JUDICIALLY FALL BEST OUT, *as it is thought.*"[1]

It was impossible that Sussex could have used this language if he had believed the letters to be genuine; for in that case he could not have doubted the queen's guilt. But having seen all that her enemies could produce against her, and more than they ever afterwards ventured to produce, he was not only unconvinced, but he obviously believed that she could make out a stronger case against them than they could against her, and that for that reason they would not venture to proceed with their charge. It is hardly necessary to add, that these expressions of Sussex fully explain the nervous anxiety displayed by Murray, and the clandestine production of his pretended proofs.

Sussex then goes on to say that Murray and his colleagues are in the mean time "to avoid these great perils," labouring, through the instrumentality of Maitland, to effect some kind of compromise; that he believed, if the queen would consent to confirm Murray in the regency, they would not only forbear to accuse her, but would obtain a repeal of the Scotch Acts of Parliament declaring her to be guilty; that, while these were the views of Murray's faction, the Hamiltons desired to see the queen restored, not be-

[1] Lodge's Illustrations of British History, i. 458.—Appendix A.

cause they loved her, but because they hated Murray. "Thus," he says, "do you see how these two factions, for their private causes, toss between them the crown and public affairs of Scotland, and care neither for the mother nor child (as I think before God), but to serve their own turns." A question, he adds, had already arisen as to the succession in the event of the death both of the queen and her son—the Hamiltons insisting that they were the next heirs, and Lennox contending that the younger brother of Darnley, the uncle of the infant king, was entitled to succeed. "And now, touching my opinion of the matter," continues Sussex, "I think surely no end can be made good for England *except the person of the Scotch queen be detained by one means or other in England.*" The most effectual plan of accomplishing this object would be, in his opinion, to prove the Queen of Scots guilty of the murder, and thereafter to detain her in England "at the charges of Scotland." "If," he adds, "*this will not fall out sufficiently* (*as I doubt it will not*) *to determine judicially, if she deny her letters,*" he then recommends that some method may be devised to induce her, without a trial, to resign her crown.

The concluding recommendation of Sussex is given in the following words: "And, lastly, to foresee that these Scots on both sides pack not together, so as to unwrap (under colour of this composition) their mistress out of all present slanders,[1] purge her openly,

[1] This appears to have been the policy upon which Elizabeth's advisers had now decided. Two days before the date of Sussex's letter —namely, on the 20th of October—Knollys writes to Cecil: "I see not how her majesty can with honour and safety detain this queen, *unless she be utterly disgraced to the world, and the contrary party be thereby maintained.*"—Goodall, ii. 161.

show themselves satisfied with her abode here, and within short time after, either by reconcilement or the death of the child, join together to demand of the queen the delivery home of their queen to govern her own realm, she also making the like request; and then the queen, having no just cause to detain her, be bound in honour to return her into her realm, and for matters that in this time shall pass, shall have her for a mortal enemy ever after."

This letter is of the utmost value, as well from the strong doubts expressed by Sussex as to the sufficiency of the evidence produced against the Queen of Scots, as from the clear view which it exhibits of the political morality of Elizabeth's ministers. In the concluding sentence of her letter to her commissioners written only a few days before,[1] they are instructed to lead the Queen of Scots to believe that a reconciliation between her and her subjects was the main object which the Queen of England had in view in proposing the conference. From the concluding sentence of Sussex's letter we perceive that the real object was to render any such reconciliation impossible. It was for the interest of England, according to him, that the Queen of Scots should be detained "by one means or other" in England; and it was expedient, with this view, to widen, instead of healing up, the breach between her and her subjects. Even if, for the reasons he has stated, they cannot be induced to accuse her openly, the "slanders" they have uttered against her must, true or false, be kept alive as a means of preventing such a reconciliation as would deprive Elizabeth of any pretext for detaining her a prisoner.

[1] On the 16th of October.—*Ante*, 412.

This letter is further interesting, as furnishing a complete key to the future proceedings of Elizabeth and her ministers; for we shall find in the sequel that they followed as closely as practicable the advice it contained. We shall find, as Sussex perceived, that Murray betrayed the utmost reluctance to produce his proofs, but that he was finally forced to do so by a dexterous device of Cecil. We shall find, as Sussex foresaw, that by this decisive step all possibility of a reconciliation between the Queen of Scots and the regent was destroyed; and that from this time forward he and his supporters had a common interest with the English ministers in preventing her restoration. We shall find, as Sussex suggested, that an attempt was next made to induce her to resign her crown. And, lastly, we shall find, and doubtless for the reasons he has stated, that at Westminster, as at York, the alleged proofs of her guilt, notwithstanding the urgent and repeated applications of her commissioners, were carefully withheld from her inspection.[1]

[1] The Bishop of Ross, on his examination in the tower on the 6th of November 1571, is stated to have said that Maitland sent word to the Queen of Scots that Murray "was wholly bent to utter all he could against her," and that she wished Maitland to use all his influence "to stay these rigorous accusations."—Murdin, 53. We have two reasons for disbelieving this statement. In the first place, if made at all, it was made under threats of torture; and the bishop might have been induced, to save himself, to utter something to the discredit of his mistress. But our chief reason for disbelieving the story is the direct contradiction of Sussex, who states that Murray and his friends, instead of being eager to bring forward their charges against the queen, were most reluctant, and for most sufficient reasons, to proceed. We must further bear in mind that Sussex wrote his letter on the spot, while the bishop spoke of events and conversations which had taken place three years before.

CHAPTER XII.

THE CONFERENCE AT WESTMINSTER.

We have seen that Elizabeth was persuaded by her ministers, apparently against her own inclinations, to treat the Queen of Scots as a prisoner from the time of her arrival in England. But the sympathy displayed by the English queen for her kinswoman was but of short duration. Before the conference at York had terminated, the restless spirit of Maitland had formed the project of a marriage between the Queen of Scots and the Duke of Norfolk;[1] and that nobleman, notwithstanding his alleged belief in Mary's guilt, listened with satisfaction to the proposal. Setting aside the awkward fact that Bothwell still lived, there was much to be said in favour of Maitland's project. The Protestant politicians both of Scotland and England could not fail to perceive that a close alliance between the two kingdoms was, during the crisis through which Europe then was passing, essential to their mutual security. Maitland knew that the duke of Norfolk was the first subject in England, and that he was also a Protestant; so that no objection could be raised to the match on the score of his rank or his religion,

[1] See the duke's trial; Howell, i. 978.

while the dangers of a foreign marriage, to which Elizabeth was so strenuously opposed, would be avoided. But the news of this intrigue, which soon reached the ears of Elizabeth, and the secret sympathy entertained for the Queen of Scots by the leading nobility and gentry of the northern counties, and which could not be concealed from the vigilance of Cecil, reawakened, no doubt much to his satisfaction, all the ancient enmity of his mistress against her rival. From this time forward, at least during the subsequent proceedings at Westminster and Hampton Court, we perceive no symptoms of disagreement between her and her ministers as to the policy to be pursued respecting the Queen of Scots.

On the 30th of October a Council was held at Hampton Court, at which the future course of proceedings was determined.

It was decided on this occasion that the representatives of the Queen of Scots should first have access to Elizabeth, and that she should inform them "how desirous she was *to have some good end*, and therefore meant to have conference with them, to resolve her of certain difficulties which did arise betwixt both parties upon the sight of their complaint, and the others' answer and their reply."[1] What "difficulties" are here referred to it is impossible to say; for nothing could be simpler and plainer than the complaint of the Queen of Scots, the answer of the regent, and the replication which followed.

It was determined that an audience should next be given to the representatives of the regent, and that they should be asked "how they can answer such

[1] Goodall, ii. 180.

matters as are contained in the replication of the queen's party? and, next, why they do forbear in their answer to charge the queen with the guilt of the murder, considering their party have always given it out to the world that she is guilty?"

"If they will in the end be content to show sufficient matter to prove her guilty," they are to be assured that the Queen of England will protect them from the vengeance of their sovereign, and will never allow her to be restored except upon such conditions as shall be agreeable to them.[1]

We perceive, therefore, that there was to be an exact repetition of the double-dealing practised at York. On the one hand, the Queen of Scots was to be induced to believe that Elizabeth was most desirous of bringing the conference "to a good end" —that is, of bringing about some amicable arrangement between the parties. On the other hand, the regent was to be induced, by the most ample promises of protection and security, to accuse his sister of the murder, and thus to render all reconciliation impossible. The advice of Sussex was to be followed to the letter.

But Elizabeth's counsellors obviously feared that their duplicity would be discovered. "And," they continue, "*because this manner of proceeding cannot be so secretly used* but the knowledge thereof will by some means come to the Queen of Scots, it is thought most necessary before all things that she be circumspectly looked unto for doubt of escaping; and therefore it is thought good that all preparation be hastened for her removing to Tutbury."[2] We may

[1] Goodall, ii. 180. [2] Ibid.

infer from this passage, that whatever might be the result of the conference, the liberation of the captive queen was a contingency which did not enter into the calculations of the Council. Bolton Castle was still too near the Border, and it was situated, moreover, in a county where the partisans of Mary were numerous and powerful. It had therefore been resolved to remove her to Tutbury, in Staffordshire, a place of great strength, and situated in a well-affected district.

It was further determined at this Council that various peers and ministers of the Crown should be added to the commissioners who had represented Elizabeth at York; but nothing was said as to the presence of any foreign ambassadors. The omission was remarkable; for we have seen that at the meeting of Elizabeth's ministers on the 20th of June,[1] when the subject of the inquiry was first discussed, it was resolved that any foreign ambassadors to be named by the Queen of Scots should be allowed to be present. How are we to account for the omission of this condition, so obviously essential to a fair investigation, in the resolution of the Council of the 30th of October? The letter of Sussex sufficiently explains it. Cecil could not hope that the French and Spanish ambassadors would be so easily satisfied with the proofs of Mary's guilt as his colleagues; and if the documents produced by Murray were proved to be forgeries, consequences of the most serious kind were certain to ensue.

There were two questions raised at this Council: the first was, What was to be done if the Queen of

[1] *Ante*, 392.

Scots refused to grant a commission to have her cause fully heard? The second was, Whether any of the Estates of the realm which might take part in the trial desired that she should be present in person, their request should be complied with? But both these questions were left undetermined.[1]

Mary had hitherto, with unaccountable credulity, acceded to everything proposed by Elizabeth. She had consented to the conference at York, and had afterwards as readily agreed that the inquiry should be transferred to Westminster. But circumstances now came to her knowledge which filled her with suspicion and alarm. It had been stipulated, as we have seen, that Sir Ralph Sadler should proceed to London, accompanied by Lord Herries and the Bishop of Ross on the part of the Queen of Scots, and by Maitland and Macgill on the part of the regent; but she now learned that Murray himself was also at the English Court, and had been graciously received by Elizabeth.[2] When we consider the political intimacy which had so long subsisted between the regent and his powerful ally, and the many plots in which they had been jointly engaged against the Scottish queen, we need not be astonished at her uneasiness.

She also learned at the same time, most probably through the Duke of Norfolk, that it was the intention of the English ministers, without awaiting the result of the conference, to remove her to a prison still more distant from her native kingdom than that which she now occupied. She had hitherto passed her time not unpleasantly at Bolton Castle under the guardianship of Lady Scrope, wife of the warden of the

[1] Goodall, ii. 182. [2] Ibid., ii. 185.

marches, and sister of Norfolk; but she was now to be subjected to more rigorous treatment[1] at the hands of strangers. For the first time since her arrival in England, Mary now began to comprehend her true position. Elizabeth had not only deceived her by false promises of help, but had allied herself, to all appearance, once more with Murray, under circumstances the more suspicious and provoking. But in the presence of real danger Mary was never wanting in decision. She forthwith commanded her commissioners to remonstrate with Elizabeth on the manifest injustice of her conduct in admitting the regent to her presence, in violation of the promise she had made to Lord Herries, and which she had subsequently repeated in writing.[2] Mary further desired them to demand in her name that she should be permitted to appear in person in presence of the Queen of England, the whole of her nobility, and the whole of the foreign ambassadors in London, to answer all that "may or can be alleged against us by the calumnies of our rebels."[3] In case her request was refused, she commanded her commissioners to break off the conference.

Nothing could be more prudent and more becoming than the challenge thus thrown down by Mary to her enemies. She had trusted hitherto to the friendship and good faith of her sister queen; she had been deceived, and she would trust her no longer. She did not shrink from any accusation that might be made against her,

[1] "Instead of the good treatment and support we hoped for, we have found us prisoner, ever straiter and straiter kept from liberty, and yet intending to transport us herefrom in more strait keeping, where we shall be under the protection of our enemies."—Mary to her commissioners, 22d November 1568; Goodall, ii. 185.

[2] Goodall, ii. 186.

[3] Ibid., ii. 185.

but she was aware of the clandestine proceedings that had taken place at York, and she was determined that they should not be repeated. If she was to be charged with the murder of her husband, she would meet her accusers face to face at Westminster in a manner becoming her rank as a sovereign princess, and the next heir to the English crown.

If Elizabeth had been satisfied with the proofs produced at York, nothing could have been more gratifying to her vanity and her ambition than to have accepted Mary's challenge.[1] But after the warning of Sussex, a trial of so public a kind was an expedient too hazardous to be attempted. The proposal of Mary, however, was in itself too reasonable and just to be summarily rejected. It was presented by her commissioners on the 3d of December; and Elizabeth replied, that as "the matter was weighty," and they desired that the queen her sister should appear in person, she would advise thereon, and give them an answer on the following day.

On the following day, accordingly, she returned an answer which, while admitting the justice of their demands, left them entirely in the dark as to her real intentions. She thought it "very reasonable that she" (the Queen of Scots) "should be heard in her own cause, *being so weighty*, but to determine whom before,

[1] Cecil himself had a motive equally strong with that of his mistress for acceding to Mary's demand. We find, from various of his private papers in the Cotton Library, that the notion of reviving the ancient claim of the kings of England to the feudal superiority of Scotland had on various occasions passed through his mind with reference to the treatment of the Queen of Scots; and Mary's offer, if accepted, would have been a *quasi*-recognition of the right he seemed at this time anxious to establish.—See Caligula, c. i. f. 66; Goodall, ii. 277.

when and where, any time before I understand how they" (the queen's accusers) "will verify their allegations, I am not as yet resolved; but after conferring with them, shall give you an answer on every point in form reasonable."[1]

On the same day, the 4th of December, there was a meeting of the Privy Council, at which both Elizabeth and Mary's commissioners were present. She then informed them that, as to their mistress appearing in person, she would not have the queen's "honour and estate in that manner endangered, without this their accusation might first appear *to have more likelihood of just cause than she did find therein.* In other words, she did not think that the honour of her sister queen was sufficiently endangered to justify the necessity of her appearing in person to answer the accusation of her enemies. Thus on the same day Elizabeth first informed Mary's commissioners that the cause of their mistress was weighty, and that her demand to be heard in person was reasonable; and she afterwards suggested, as an inducement to them to withdraw that demand, that the case of Mary's accusers was too weak to justify the necessity of her appearance.[2]

Mary's commissioners saw through the shallow artifice, and insisted on a specific answer to the proposal of their mistress; but Elizabeth dissembled and equivocated to the last. As for the Queen of Scots "coming up hither in person, they should know her pleasure if she should find any further cause requisite for the same; and for making of her answer, which

[1] Goodall, ii. 222.

[2] Ibid., ii. 226. The minutes are corrected and interlined by Cecil's hand.—Caligula, c. i. f. 246.

they" (her commissioners) "much pressed, her majesty meant never to deny the same, *if cause so required*, either before herself, or before other meet persons, or any other ways that she might find convenient and honourable."[1] It is important to observe that amid all this ambiguous talk, which amounted literally to nothing, Elizabeth never ventured to dispute the justice of Mary's demand to be heard in person.[2]

While Mary's commissioners were in vain endeavouring to obtain an explicit answer to the demands of their mistress, the regent received a full and satisfactory reply to the queries he had transmitted from York.[3] On the 26th of November, accordingly, after making the most fulsome protestations of affection for the sister whom he had already accused of the most horrible crimes, he laid before the English commissioners *an eik* or addition to his answer at York, in which he expressly charged her both with the murder of her husband and with an intent to murder her child. He further stated, that in consequence of her crimes she had been deposed by the Scottish Parliament; whereas we have seen that at York he asserted that, wearied with the cares of government, she had voluntarily resigned her crown.[4]

A new actor, but an old enemy of the Queen of

[1] Goodall, ii. 227.

[2] Modern historians have found excuses for Elizabeth which she did not think of putting forward for herself. Hume says that Mary's demand was one which "she was sensible could not be granted" (chap. xxxix.); but he gives no reason for his assertion. Laing says "the demand was absurd" (i. 186). Von Raumer says (p. 161) that it would have placed "the affair in a situation where no answer was possible or necessary." By what mental process the Prussian professor arrived at this conclusion he does not explain.

[3] Goodall, ii. 199.

[4] Ibid., ii. 206.

Scots, next appeared upon the scene. Three days after Murray had given in his charge—namely, on the 29th of November — the Earl of Lennox came before Elizabeth's commissioners, also charging the Queen of Scots with the murder of his son, who was a natural-born subject of the Queen of England.[1] The appearance of Lennox at this juncture could only have been intended to prejudice the minds of the commissioners, for Elizabeth expressly declared that they were not to proceed judicially in the matters referred to them; and for this reason their sittings were appointed to be held in the Painted Chamber at Westminster, a place where judicial proceedings were never heard.[2]

In addition to the three original commissioners who had sat at York, there had now been appointed Sir Nicholas Bacon, Keeper of the Great Seal; the Marquis of Northampton; the Earls of Arundel, Pembroke, Essex, Leicester, and Bedford; Lord Clinton, High Admiral; Sir William Cecil, Principal Secretary of State; and Sir Walter Mildmay. On receiving the charge given in by the regent, it was duly transmitted to the commissioners of the Queen of Scots.

The latter now acted with extreme imprudence. Instead of adhering simply to the positive commands of their mistress—namely, to insist upon a personal hearing, or to break off the conference — they first alleged that some of the queen's accusers were themselves guilty[3] of Darnley's murder, and they afterwards suggested to Elizabeth the expediency of their coming to some terms with their opponents. Upon Elizabeth replying, and replying truly, that after the

[1] Goodall, ii. 208. [2] Ibid., ii. 189. [3] Ibid., ii. 212.

charge had been given in by the regent, such a proposal was inconsistent with the honour of their mistress, they stated "that this last motion for an appointment came not from the queen since the accusation given in by the Earl of Murray, but *of their own consideration*, partly gathered of the desire they had to have things quietly ended, partly also upon the queen their mistress's disposition, known unto them at the beginning of this treaty, and also before, that this whole cause should be ended by the queen's majesty by some appointment."[1] It is true that both before and during the conference at York Mary had believed a reconciliation with her rebellious subjects to be possible; but she well knew, and she distinctly told Sir Francis Knollys, that if they once accused her of the murder, "they were past all reconciliation."[2] This, in fact, was so very evident, that it is difficult to account for the false step now made by her commissioners, but for which they stated to Elizabeth that they were alone responsible.

Two days afterwards—namely, on the 6th of December—the Bishop of Ross and Lord Herries again repaired to the Painted Chamber at Westminster, and informed Elizabeth's commissioners that they would proceed no further in the conference until they had received "a resolute and direct answer" to the demands of their mistress. They at the same time presented a formal protest, that "in case your lordships proceed in the contrary, that whatever has been, or shall be done hereafter, shall not prejudge in any manner of way our mistress and sovereign's honour, person, crown, and estate; and we for our part dissolve

[1] Goodall, ii. 226. [2] *Ante*, 411.

and discharge this present conference, having special command thereto by our said sovereign in case aforesaid."[1]

This decisive step on the part of Mary's commissioners threatened entirely to disconcert the plans of Cecil, for it followed, if the conference was dissolved, that the accusation against the Queen of Scots must fall to the ground; but the wily secretary devised the means, such as they were, of preventing this result. He objected to the form of the protest presented by Mary's commissioners, and before it could be amended he had induced Murray to produce his proofs in support of his accusation. This expedient was resorted to in entire accordance with the advice of Sussex—namely, to prevent by some means or other the possibility of a reconciliation between the Queen of Scots and the regent.

The passage in the protest of Mary's commissioners to which Cecil took exception was the following: "Because we could not obtain a direct answer to our petition and supplication, the desire thereof being so reasonable, *and that her majesty declared she would receive probation upon their said eik [charge], and consider the same before our said sovereign should be sent for to be heard; wherefore, we, thinking the same a preposterous order, which never has been observed in any treaty or conference—yea, if it were the most extreme form of judgment, to receive probation before the party was heard to answer to the alledgeance, and especially in so weighty a cause.*"[2] Cecil and his colleagues insisted that the passage in italics should be struck out of the protest before they

[1] Goodall, ii. 230. [2] Ibid., ii. 229.

received it, as it misrepresented the true meaning of their mistress, though what she really meant neither they nor probably she herself could tell.

Although, therefore, Mary's commissioners presented their protest and retired from the conference on the 6th of December, it was not received in its amended form by Cecil and his colleagues until the 9th. They took care, in short, not to receive it until Murray had exhibited before them all the evidence against his sister which he had in his possession.

Not a moment was lost in proceeding with the business of the conference *after* Mary's commissioners had retired from it. On the very same day Murray was summoned before Elizabeth's commissioners; and the lord keeper, in the name of his mistress, informed him that she thought it very strange that he and his confederates, being native subjects of the Queen of Scots, should accuse her of such atrocious crimes. He added that his mistress "hath wished us to say unto you, that although you in this doing have forgot your duties of allegiance towards your sovereign, yet her majesty meaneth not to forget the love of a good sister and of a good neighbour and friend. What you are to answer to this we are here ready to hear."[1] Encouraged by the promises he had received from Elizabeth, and still more by the absence of Mary's commissioners, the regent, after protesting for the twentieth time that it was with the utmost reluctance that he made any accusation against his sovereign, produced, by way of reply, a Book of Articles, which he described to be "a collection made in writing of the presumptions and circumstances by

[1] Goodall, ii. 233.

the which it should evidently appear that, as the Earl of Bothwell was the chief murderer of the king, so was the queen a deviser and maintainer thereof."[1] The Book of Articles was then read over to Elizabeth's commissioners. It is obvious, from the fact of Murray having produced his book upon the spot, that the whole scene had been arranged beforehand. Murray also produced at the same time a copy of the Act of his Parliament deposing the Queen of Scots, which he left with the commissioners. But he supplied them with no copy of his Book of Articles; and it is not, therefore, to be found either in the Public Record Office or in the Cotton Library.

Before examining these articles,[2] let us shortly turn to the narrative which Hume has given of the foregoing proceedings.

He says that when the charge of Murray was given in, Mary's commissioners refused to give any answer; "and they required that she should previously be admitted to Elizabeth's presence, to whom and to whom alone she was determined to justify her innocence." Further on he says "the Queen of Scots had no other subterfuge than to demand a personal interview with Elizabeth — a concession which she was sensible would never be granted."[3] He thus makes it appear that Mary merely repeated at this time the request she had made on her first arrival in England. This is an entire misrepresentation of the fact. The Queen of Scots demanded now, not a private inter-

[1] Goodall, ii. 234.

[2] In the Hopetoun MSS., General Register House, Edinburgh.— See Appendix B.

[3] History, chap. xxxix.

view, but a public inquiry, "in presence of the whole nobility of England and the whole of the foreign ambassadors." Hume is, moreover, silent as to the reasons assigned by Mary for making these demands —namely, the violation of the promise which had been made to her before the conference at York, and the secret preparations which she ascertained were being made to remove her from Bolton to Tutbury. Lastly, Hume is silent as to a fact of which he was probably ignorant, that the demands which he and other historians have pronounced to be inadmissible were approved at the time by eminent English civilians, who were of opinion that, under the peculiar circumstances of the case, the Queen of Scots was entitled to appear at Westminster in person.[1]

The conclusion which Hume draws from his own misstatement of the facts is, that Mary "did in effect ratify the evidence against her by recoiling from the inquiry at the very critical moment, and refusing to give an answer to the accusation of her enemies."[2] Mary's refusal to answer is here represented as a consequence of the accusation presented by the regent. But the fact is, she had instructed her commissioners to break off the conference, unless she was allowed to appear in person, some eight or ten days before she could have known that any charge had been or was intended to be made. Her instructions are dated on

[1] This opinion was probably obtained by the French ambassador, La Mothe Fénélon, who arrived in London on the 10th of November, and who from the first regarded the proceedings at Westminster with just suspicion.—See his despatch of the 22d November to the queen-mother. The opinion of the civilians is given at length in the Collection of his Despatches, i. 51-54.—See Appendix L.

[2] History, chap. xxxix.

the 22d of November, and the charge was not presented at Westminster until the 26th; and in the middle of winter the best part of a week must have elapsed before the news could have reached Bolton Castle.

The remark, therefore, that Mary recoiled from the inquiry at the critical moment, may with far greater justice be applied to Elizabeth. After the manifest partiality which she had displayed, Mary was certainly justified in refusing to submit her cause to a secret tribunal, of which Cecil and his colleagues formed a large majority. But no reason can be given why Elizabeth and her Scottish allies should have shrunk from a public inquiry except that stated by the Earl of Sussex at York, whose letter, we may add, Hume never saw.[1]

[1] The letter of Sussex is not mentioned by Hume, Robertson, or Laing. It was first published by Lodge, from the valuable collection of Cecil papers in his possession.—See the preface to the first edition of his Illustrations.

CHAPTER XIII.

THE CONFERENCE AT WESTMINSTER (*continued*)—THE BOOK OF ARTICLES, AND THE PRODUCTION OF THE PROOFS.

THE Book of Articles produced by Murray consisted of five parts. The first of these was said to contain "the alteration of the queen's affection from the late King Henry, her lawful husband, in converting her ancient love towards him into extreme disdain and deadly hatred.[1]

After stating that her vehement love for her husband subsided within three months of her marriage, after which time she treated him with systematic indignity and neglect, it was alleged that she had granted a pardon to the Duke of Chatelherault for his rebellion, against the wishes of her husband, solely because the Hamiltons were hereditary enemies of the house of Lennox.

That she not only showed this special and extraordinary favour to her husband's known enemy, but began to display her hostility to the king's friend and kinsman, "the Earl of Morton, chancellor of the realm, from whom she caused the great seal to be taken, the

[1] See Appendix B.

keeping whereof properly belongeth to his office, and having committed no offence that could be imputed to him."

These allegations respecting Morton are very remarkable. All the world knew that he had been deprived of the great seal in consequence of his share in the murder of Riccio and the conspiracy to dethrone the queen, of which crimes he was in all probability the chief promoter. One at least of Elizabeth's commissioners, the Earl of Bedford, was well acquainted with the whole circumstances; for he had apprised the Queen of England beforehand of the intended plot; he had subsequently received Morton at Berwick, after his flight from Edinburgh; and it was through his intercession at the baptism of the prince at Stirling that that nobleman finally received his pardon. Murray, Morton, and their associates must have had boundless confidence in the friendly disposition of the Westminster tribunal to induce them to put forward allegations such as these.

They further alleged that, previous to the birth of the prince, the queen made a will excluding her husband from all share in the government in case of her death; and that she also bequeathed "her whole moveables [personal estate] to others beside her husband." And, further, that she bound the nobility by a solemn oath to carry her will into effect, without allowing them even to see it.

Murray knew at the time, and we know now, that these allegations were utterly untrue. The queen's will is lost; but we find, from the inventory recently discovered, that she bequeathed to Darnley, on what she believed would probably be her deathbed, a much

larger share of her jewels than to any one besides.[1] This frail memorial of the past proclaims, with mute, resistless eloquence, at once her unconquerable affection for her erring husband, and brands her accusers through all time as wilful and malicious liars.

After the birth of the prince it is stated that the queen sailed up the Forth to Alloa, "conducted with certain notorious pirates, avowed men and dependers on Bothwell, to the great admiration of all honest persons, seeing her take the sea without any one honest man to accompany her."[2] Yet we know from the public records that Murray himself accompanied the queen[3] on this occasion. The king is next said to have followed the queen to Alloa; but his reception was so cold and contemptuous that he speedily left the place. He afterwards, in September, repaired to Holyrood, where "he was rejected and rebuked openly in presence of divers lords of her Privy Council." Du Croc, who was present on the occasion, gives us a very different version of this interview.[4]

It is then stated that in the following month of October, when the queen was lying sick at Jedburgh, "the king in haste came from Stirling to visit her;" but the queen, in the "extremity of her sickness, continued in her disdain." Buchanan, in his 'Detection,' tells the same story in nearly the same words, although he had some months afterwards at Stirling sung the praises of the queen as the most virtuous of her sex and race. As to the real conduct of the king when his

[1] See *ante*, 151.

[2] This account of the queen's trip to Alloa agrees with that in the 'Detection' almost word for word.—See p. 6.

[3] Chalmers, i. 278, 279.

[4] *Ante*, 157.

wife lay hopelessly ill at Jedburgh, the reader will probably place more reliance on the letters of Du Croc,[1] written on the spot, than on the subsequently-invented slanders of her enemies.

The second part of the Articles is said to contain "the said queen's inordinate affection borne to James, some time Earl Bothwell, in the lifetime of the king her husband—yea, both before and after his murder."

This part commences by stating that the queen created Bothwell Lieutenant-General of the Borders, and gave him, in addition, various grants of land; but it was not Mary, but her mother, who, as regent, had appointed Bothwell Warden of the Marches as the reward of his loyalty.[2] As to the alleged grants of Crown and Church lands, it has been already shown that he profited much less by the bounty of the queen than her accusers—Murray, Morton, and their associates.[3]

It is next stated that after the queen returned to Edinburgh, she lived in notorious adultery with Bothwell; and an incident is related in which her alleged confidante Lady Reres acts a very remarkable part, and which Buchanan has transferred, with characteristic exaggeration, to his 'Detection.'[4]

"In October following," the narrative continues, "being in Borthwick, as she was intending to pass to Jedburgh, she heard of Bothwell's hurting to the death in Liddesdale, whereat she was so 'astunsyed' that, uttering her inordinate affection, she departed in haste first to Melrose, then to Jedburgh, never

[1] *Ante*, 161.
[2] Chalmers, iii. 77.
[3] *Ante*, 299, 300.
[4] P. 9.

taking kindly rest until she came to the Hermitage, in Liddesdale, and saw him, without respect of the intemperance of the weather, the length of the way," &c.

This celebrated visit of the queen to Hermitage was a most fortunate occurrence for her enemies, and they never failed on every occasion to distort in the most extravagant manner every incident connected with it; but Murray, who presented, and probably read over, these Articles to Elizabeth's commissioners, knew of his own knowledge that the account which he thus rendered of his sister's visit to Liddesdale was one tissue of falsehood. We learn from Du Croc and Lord Scrope that Murray not only accompanied the queen to Jedburgh, but that he accompanied her to Hermitage on the visit she paid to Bothwell, and that that did not take place until after the business of the assize had been brought to a close, some eight days after Bothwell had received his wound.[1]

What are we to think of the man who could thus, before a foreign, and certainly not a friendly tribunal, deliberately slander the sister who had loaded him with benefits? And what are we to think of the historian who invariably represents him to his readers as the purest of patriots and the most unselfish of men? The prejudices and the profession of Robertson as a minister of the Church of Scotland naturally induced him to take the most favourable view of the character of Murray; yet he does not hesitate to condemn, with just severity, his ingratitude to his sister, his servility to Elizabeth, and his treachery to the Duke of Norfolk.[2] Of modern historians, Mr

[1] *Ante*, 160. [2] Vol. ii. 316.

Froude alone regards the Scottish regent with unmixed admiration.[1]

The remainder of the second part of the Articles consists of allegations of the queen's guilty intercourse with Bothwell, of which no proof was ever attempted to be given.

The third part is described as containing the "conspiracy, device, and execution of the said King Henry's horrible murder by the said queen his wife and Bothwell."

In this it is alleged that in November 1566 she openly informed Murray, Morton, and Maitland, "that unless, by one means or another, she got rid of the king, she could never have a good day in her life; and that, rather than fail, she would put an end to her own existence." But we have seen from the declaration of Huntly and Argyll, which was not denied by Murray, that the proposal of a divorce was in fact made by Maitland in the presence of these three noblemen, and was, on due consideration, absolutely rejected by the queen. It is farther alleged in this article, that from this time she determined to kill the king; whereas we know from the fact of the Craigmillar bond that they themselves arrived at this resolution from motives which are abundantly apparent.

It is further alleged that an attempt was made to poison the king before he left Stirling for Glasgow. At the former place it is said "that he was served with meat from the queen's kitchen by her officers and

[1] "A noble gentleman of stainless honour" (viii. 211); "Murray's noble nature had no taint of self in it" (223); "Murray had a free and generous nature" (260); "the stainless noble Murray" (266); the "supreme and commanding integrity" of the regent (ix. 550), &c. &c.

servants. What he received there, God knows; but immediately after his departure out of Stirling, before he had ridden half a mile, he was seized with such a grievous sickness that his life was despaired of. But yet," continues the narrative, "he rode homeward to Glasgow;" so that, although in this apparently dying state, he kept his saddle during a ride of thirty miles. If an incident of so suspicious a character had taken place, the Earl of Bedford, who was in Stirling at the time, would probably have mentioned it; but he only mentions the fact of the king's illness at Glasgow a fortnight afterwards. The insinuation here made as to the poisoning of Darnley, assumes, as we have seen in the 'Detection,' the form of a positive charge, in proof of which we have the formidable testimony of Cato the Censor.

Another passage furnishes a curious example of the progress of calumny. We have seen that the Earl of Bedford, who, as one of Elizabeth's commissioners, heard it read, wrote to Cecil at the time, that on hearing of her husband's illness at Glasgow, the queen sent her own physician to attend him. It is stated, however, in this article, that "such was her cruelty that she refused to send her medicinar, or apothecary, to visit him;" while Buchanan positively asserts that she prohibited him[1] from receiving any medical assistance whatever.

After describing the queen's visit to Glasgow, and her arrival with her husband at the Kirk-of-Field, the article states that, on the Saturday before the murder, she contrived to provoke a quarrel between him and the Lord Robert, "nothing caring who should be the

[1] Detection, 16.

victor." But the essential fact of her bringing Murray to the spot to preserve the peace, for which Buchanan suggests so ludicrous a motive, is omitted.

It is further stated that, on the Friday before the murder, she caused the king's bed to be removed "and another worse set up in its place, which she thought good enough to be put to such a use." We have seen that Nelson says that the bed was removed on the day of their arrival at the Kirk-of-Field. But the recently-discovered inventory of the house effectually disposes of this most absurd of all the calumnies against the Queen of Scots.

The fourth part of the Articles is said to contain "the sequel of the said murder from the committing thereof to the accomplishing of the pretended and unlawful marriage betwixt the queen and Bothwell."

After describing the indifference exhibited by the queen on hearing of her husband's death, her correspondence with Lennox, and the collusive trial of Bothwell, it is stated that "a few days after the murder she passed to Seton, exercising her one day right openly at the fields with the pall-mall[1] and golf. Here is a new version of Drury's scandal as to her shooting at the butts with Bothwell. But neither of these amusements were likely to prove attractive in winter; and golf was not, we believe, in that age, a lady's game in Scotland. During the whole time of her residence at Seton it was further alleged that she was living in scandalous intimacy with Bothwell, although we have shown that, according to a contem-

[1] This game seems to have been identical with "croquet." The players had to drive a ball with a mallet through certain iron hoops. —See Cotgrave.

porary chronicle of great credit,[1] he did not accompany the queen to that place at all, but remained at Holyrood with Huntly in charge of the prince.

That after the rising of the Parliament on the 19th of April 1567, Bothwell invited the lords to supper "within the Palace of Holyrood House," and that after supper he proposed to them to sign a bond. The scene of this famous supper is thus changed from "Ainslie's" tavern, where it undoubtedly was given, to the Palace of Holyrood, with the obvious intention of implicating the queen. It is further stated that she subscribed a letter "in token of her consent and goodwill." This letter was called a warrant at York; but at Westminster neither the one nor the other was produced.

That while the queen was by her own contrivance and consent detained a prisoner at Dunbar, "divers noblemen wrote to her, offering to convene her forces and relieve her majesty; but she plainly mocked at them, and showed no signs of discontent." Not one of these loyal persons is named by the queen's accusers; and the allegation is in direct contradiction to the statement of the queen, that while she was at Dunbar she looked in vain for some of her subjects to come to her relief. If there had been any truth in the allegation contained in the Articles, can we believe that the queen's assertion would have remained unanswered, and that the names of the "noblemen" who offered their services at this critical time would have been withheld?

The fourth part of the Articles concludes by declaring that the case against the Queen of Scots was much

[1] The Diurnal of Occurrents, *ante*, 281.

stronger than that against Queen Joanna of Naples, who was declared guilty of the same crime. A portion of the letter addressed by the King of Hungary to his sister-in-law, the Queen of Naples, on the occasion of his brother's death, follows in these words: "Inordinata vita precedens, retentio potestatis in regno, neglecta vindicta, vir alter susceptus et excusatio subsequens, necis viri tui te probant fuisse participem et consortem."[1]

The fifth and last part was said to contain "how by the occasion of the punishment of the said murder neglected, the noblemen and others—good subjects—took arms, detained and sequestrated the said queen's person for a time; and of the coronation of our sovereign lord, and establishing of the government of the realm in the person of the regent during his highness's minority."

That after having been induced, "at the sight of the queen's consent," to sign the bond for her marriage with Bothwell, they were finally induced to take up arms on the sudden, "thinking nothing more godly nor more honourable in the sight of the world than, by punishing Bothwell, chief author of the murder, to relieve others innocently calumniated therefor, and to put the queen at liberty and freedom forth of the bondage of that tyrant." The allegation that they had taken up arms against Bothwell to remove the imputation of the murder from themselves, was no doubt true; but they now represented the queen as having been detained a prisoner against her will, while

[1] Even this passage has been misquoted to serve the purpose of the queen's enemies. The words "inordinata vita precedens" are not in the original.—See Giannone, Istoria di Napoli, lib. xxiii.

in the preceding article they asserted that she had been carried off by her own consent. They added, that when the opposing armies met at Carberry Hill, Bothwell, instead of accepting the challenge of Murray of Tullibardine and of Lord Lindsay, made his escape to Dunbar; but they do not say that they made any attempt to follow him, although Dunbar was fifteen miles distant.

That on the day following her surrender at Carberry, while the queen was in Edinburgh, the "noblemen" repaired to her, and humbly requested that she would "see the murderers punished," and allow the pretended marriage to be dissolved; but that instead she only threatened to be revenged on every one of them. Of this alleged interview we now hear for the first time. James Beton, who was in Edinburgh at the time, says she was not allowed to see even one of "her own maidens;" and as he gives a detailed account of all that passed on this eventful day, we cannot believe, if a meeting had taken place between her and the rebel leaders, he would have omitted a circumstance of such importance. Du Croc, who was also in Edinburgh at the time, is equally silent on the subject, and he could not have been kept in ignorance of the interview if any such had taken place. It is further stated, in proof of her "inordinate affection" for Bothwell, that she sent him on this day a present of money. They told Kirkaldy at the time, as we learn from Melvill,[1] that she had written Bothwell a letter on this day; but at Westminster the letter is transformed into a purse of gold. How she could have found the means, closely guarded as she was during the whole

[1] *Ante*, 340.

of the dismal four-and-twenty hours she was detained in Edinburgh, of sending either the one or the other, is not explained.

That before leaving Dunbar for the north of Scotland, Bothwell sent to the Castle of Edinburgh for a box of letters; but that his messenger, the deceased George Dalgleish, was intercepted, and that the letters were found to be from the queen, and fully proved her complicity in the murder of her husband. Lastly, the allegation which had been made at York was now repeated—namely, that the queen, being weary of the cares of government, voluntarily resigned her crown in favour of her son, and nominated the Earl of Murray regent, "without his knowledge or desire," he being then abroad; and all this was done voluntarily on the part of the queen—"no compulsion, violence, or force, in word or deed," being employed to obtain her "consent thereto." On the absurdity of these allegations it is unnecessary to dwell.

These Articles, which no doubt furnished Buchanan with the materials for his 'Detection,' for in various passages they are indentical, were left by Murray with Elizabeth's commissioners during the night. This appears from the proceedings of the following day, the 7th of December,[1] when we find that they were again read by the commissioners in the absence of Murray and his colleagues. What opinion was entertained or expressed concerning them we are not informed.

While Elizabeth's commissioners were busy perus-

[1] It has been assumed that the minutes of this day's proceedings are lost.—See Laing, i. 219. They are not to be found in the Cotton Library, and they do not appear in Anderson or Goodall; but I have found them in the Record Office, and from the copy there preserved they are now printed for the first time.—See Appendix C.

ing the Articles for the second time, and had finished the first three chapters, Murray and his colleagues again appeared before them, and said "they trusted that after the reading of the said Book of Articles, and especially upon the sight of the Act of Parliament, wherein the whole cause wherewith their adversaries did charge them was found, declared, and concluded to be lawful," their lordships would be satisfied that they had not been guilty of the crimes with which they had been charged. They further "required to know whether their lordships were not now satisfied with such things as they had seen; and if they were not, that it would please them to show if in any part of those Articles exhibited *they conceived any doubt*, or would hear any other proof, *which they trusted needed not*,[1] considering the circumstances thereof were for the most notorious to the world," &c.

Here was a last attempt made to evade the production of the proofs. Murray had at first, as we have seen, endeavoured to obtain from the commissioners a private assurance that these were sufficient. Failing in this, he now had the effrontery to ask them to dispense with his proofs altogether, and to receive the monstrous catalogue of unverified accusations contained in his Book of Articles, and "specially" his Act of Parliament, as conclusive evidence of his sister's guilt. Yet not a single allegation contained in either was ever attempted to be proved, with the exception of the finding of the box of letters, and that on the sole testimony of Morton. And, we ask once more, if these letters were genuine, where was the necessity for the elaborate slanders contained in the Book of

[1] See Appendix C.

Articles, and afterwards transferred to the 'Detection'? Why did they make innumerable accusations which they knew to be false, if they had in their possession abundant evidence which they knew to be true?

But this fresh attempt of Murray did not at all suit the views of Cecil and his friends. Their real design, as clearly appears from the letter of Sussex, was to render the breach between the Queen of Scots and her subjects irreparable; and this could only be done by forcing Murray to produce his proofs. They replied, accordingly, "that it was well known what place they held in this conference—that was, to be only hearers, and with all indifference to make report to her majesty of such things as should be on either part produced." From a subsequent passage it appears that they were strongly urged to receive the Act of the Scotch Parliament as a complete justification of the conduct of the regent; but the commissioners replied that "they knew not how the States of Scotland were thereto moved; and as for themselves, how they were therewith moved they meant not to declare."[1] They thus informed Murray in effect, that unless he produced his proofs he was not to expect them to pronounce any opinion either upon his own conduct or his sister's guilt.

It was now too late to recede, yet Murray still hesitated. "The said earl and his colleagues," continues the journal, "pausing a while, did withdraw themselves" from the presence of the commissioners. After consulting together in private, they returned to the council chamber, and with fresh protestations of loyalty and affection towards the sovereign whom they had accused of nearly every crime, they produced, according to the

[1] See Appendix C.

journal, "a small gilt coffer, not fully one foot long, being garnished in many places with the Roman letter F[1] under a crown, wherein were certain letters and writings, which they said and affirmed to have been written with her own hand to the Earl of Bothwell; which coffer, as they said, having been left in the Castle of Edinburgh by the said Earl Bothwell before his flying away, was sent for by one George Dalgleish, his servant, who was taken by the Earl of Morton, who also there sitting presently as one of the commissioners, avowed upon his oath the same to be true, and the writings to be the very same, without any manner of change."

They then produced, first of all, the two contracts of marriage said to have been entered into between the queen and Bothwell; the one without date, the other dated at Seton on the 5th of April 1567.[2] They also produced the record of Bothwell's trial, and the sentence of divorce pronounced by the ecclesiastical courts between him and his former wife, the Lady Jane Gordon.

"After this," continues the journal, "the said earl and his colleagues offered to show certain proofs, not only of the queen's hate towards the king her husband, but also of inordinate love towards Bothwell; for which purpose they first produced a letter written in French, and in Roman hand, which they avowed to be a letter of the queen's own hand sent to Bothwell when she was at Glasgow." They then produced the short Glasgow letter (No. 1)[3] already laid before the reader.

[1] The box was said to have belonged to Mary's first husband, Francis, and to have borne the initial letter of his name.

[2] See Appendix E.

[3] *Ante*, 188.

They next produced "one other long letter" (No. 2),[1] "written also with the like hand in French," which they also declared to be in the queen's own handwriting. They further stated that this letter contained certain details—namely, those relating to Hiegate and the Laird of Minto—which of their own knowledge they knew to be true. With the production of this letter the proceedings of the day closed; but it is to be observed, that although the journal states that these two letters were "produced," it does not state that they were left for examination in the hands of Elizabeth's commissioners. From the proceedings of the following day we may conclude that they were not.

On the next day, the 8th of December, Murray again appeared before the commissioners, and after referring to the evidence he had produced on the previous day, he stated "that they were ready to produce and show a great number of other letters written by the said queen, wherein, as they said, might appear very evidently her inordinate love towards the said Earl Bothwell," &c. And so, thereupon, "they produced seven several writings written in French, in the like Roman hand, as others her letters which were showed yesternight, and avowed by them to be written by the said queen." What became of these letters we learn from what follows: "Which seven writings being copied, were read in French, and a due collation made thereof, as near as could be, by reading and inspection, and made to accord with the originals, which the said Earl Murray required to be redelivered, and did thereupon deliver the copies being collationed."[2] The sonnets are here enumerated as one

[1] *Ante*, 190.

[2] Goodall, ii. 235.

letter, and the first line of the first of them is given in the original French.[1] The remaining six letters have already been laid before the reader.

It is to be observed, and the fact speaks for itself, that Murray did not leave the alleged originals of the queen's letters in the hands of the commissioners, that they might be examined with that minute attention which is essential to the detection of forgery. He exhibited them along with copies, and he left only copies behind him; nor does the journal of the commissioners, which is corrected by Cecil's own hand, state that at this time any examination was made beyond the fact that the copies accorded with the originals. On a subsequent occasion they were subjected to an examination, the nature of which will be duly described.

After the letters and sonnets had been produced, the depositions and confessions of Hay, Hepburn, Powrie, and Dalgleish were laid before the commissioners.[2] The examination of Dalgleish before the so-called Secret Council of the insurgent lords on the 26th of June 1567 was also produced, although it is absolutely silent on the subject of the queen's letters, which they afterwards alleged were found upon this man on the 20th of the same month.

There was also produced the formal recognition by Mary's friends, Huntly, Argyll, and Herries, of the government of the regent, dated the 29th December 1567. But it is to be observed that this paper contains no allegation against the queen;[3] and these noblemen subsequently declared in the most public manner that they had protested against all the pro-

[1] See the sonnets, Appendix F. [2] Goodall, ii. 236. [3] Ibid., ii. 237.

ceedings taken against her in the regent's Parliament, in case it should afterwards appear that she did not resign her crown of her own free will.[1]

This was the whole of the written evidence produced against the Queen of Scots at Westminster. Two important documents produced at York never saw the light again: the one was the warrant of the queen said to have been shown to the nobles at "Ainslie's" supper to induce them to sign the bond in favour of her marriage with Bothwell; the second was the letter which was said to have contained some reference to the quarrel alleged to have been provoked by the queen between her husband and her brother, the Lord Robert, a day or two before the murder. We have already suggested the probable reasons why these documents, though exhibited at York, were withheld at Westminster.[2]

By objecting to the form of the protest presented by Mary's commissioners—a proceeding which Hume designates as "a judicious artifice," but which much resembles the trick of a pettifogging attorney—Cecil thus contrived to force the regent to produce his proofs. On the day following, the 9th of December, the Bishop of Ross and his colleagues returned to the conference with their protest amended in accordance with Cecil's wishes, and it thus bears both that date and that of the day when it was originally presented.[3] But although it was at last received, and the Bishop of Ross and his colleagues finally retired from the conference, Elizabeth's commissioners continued their labours as if nothing of the kind had occurred—a clear proof that if the form of the protest had not been

[1] Goodall, ii. 363. [2] *Ante*, 409, 410. [3] Ibid., ii. 238.

objected to, some other pretext would have been devised by Cecil to enable him to accomplish his purpose. On the same day on which the protest was received we find that the commissioners were busily employed in reading over the queen's letters and sonnets; but these were neither French originals, nor French copies, nor Scotch translations, but they had by this time been "duly translated into English," so that we have here another transformation of these ever-varying letters. The English versions of the two Glasgow letters which are still to be found in the Record Office, marked with Cecil's hand, and which have already been laid before the reader, were in all probability among those that were used at this time; but of the Scotch copies of which Malcolm Laing speaks, we hear neither upon this nor upon any other occasion.

After Mary's commissioners had finally retired, two witnesses were produced by the regent: the one was Thomas Nelson, Darnley's servant, who had escaped from the ruins of the Kirk-of-Field, and whose depoposition already referred to was now produced; the second was Thomas Crawford, described as "a gentleman of the Earl of Lennox," who produced a paper purporting to give a detailed account of the conversation[1] which took place between Darnley and the queen on her arrival in Glasgow, and which agrees in so miraculous a manner with the account she herself gives in the long letter from that city.

After Crawford's paper had been given in, he stated to the commissioners, that when the queen was at Glasgow "he was secretly informed by the king of all

[1] *Ante*, 196, and Appendix L.

things which had passed between the said queen and the king," and "that he did, immediately at the same time, write the same word by word, as near as he possibly could carry the same away."[1] Such is the statement of Crawford; but the reader may perhaps think it more probable that he wrote down from recollection his conversation with the king after he had heard from Lennox and John Wood,[2] than that he should have committed them to paper at the time without any adequate motive for so doing.

Nelson and Crawford were the only two witnesses produced at Westminster; and it is to be observed that no question was put to either of them by the commissioners, nor was any attempt made in any way to test the accuracy of their evidence. No servant of the Queen of Scots, male or female, French or Scotch —and her dowry enabled her to maintain a very large household[3]—could be induced to come forward and defame their mistress. We may confidently conclude, from the letters of Lennox and Wood sent to Scotland in the previous summer, that every effort had been made to obtain evidence of this description; yet the only result was the deposition of Nelson, which we have already shown to contain at least one wilful falsehood, and the deposition of Crawford, which, when carefully compared with the corresponding portion of the alleged letter of the queen, affords perhaps the strongest proof of the forgery which we possess.

After Nelson and Crawford had withdrawn, Murray produced a copy of his Act of Parliament deposing the queen. He also produced, probably on the same day,

[1] Goodall, ii. 246. [2] *Ante*, 199.
[3] See Teulet, ii. 268, and twelve following pages.

a journal[1] or diary of events in Scotland from the birth of the prince till the battle of Langside. It is this journal, which is still preserved in the Cotton Library, which so fatally contradicts the subsequent deposition of Paris, and which perhaps prevented that document from being produced, or even referred to, during the lifetime of the Queen of Scots.

[1] See Appendix D.

CHAPTER XIV.

PROCEEDINGS AT HAMPTON COURT, AND THEIR RESULTS.

AFTER the regent had produced the whole of his proofs, there was a pause in the proceedings of the conference for several days. As the circumstances of the inquiry were unprecedented, every fresh step seems to have been anxiously considered by the laborious secretary. The question had been debated in the Council, as we have seen, whether or not the whole matter should be brought before Parliament; but this notion, for reasons which it is not difficult to divine, was eventually abandoned; and it was at length determined that the results of the conference should be communicated, not to the representatives of the nation, but to six of the most distinguished of the nobility, who were specially summoned to Hampton Court for this purpose. These were the Earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick.

On the 14th of December, accordingly, these noblemen attended a meeting of the Privy Council, at which they were made acquainted with the course of the proceedings which had taken place at York and Westminster. The whole of the papers produced by Murray were then laid before them, including the Book of

Articles, the alleged letters of the queen to Bothwell, the contracts of marriage, and the various confessions and depositions already referred to. Two days were spent in hearing the explanations of Elizabeth's commissioners, and in reading and examining the numerous papers produced. The alleged letters of the queen to Bothwell were produced once more by Murray; and on this occasion they were, according to Cecil's journal, "duly conferred and compared, for the manner of writing and fashion of orthography, with sundry other letters long since heretofore written and sent by the said Queen of Scots to the queen's majesty, in collation of which," it is added, "no difference was found."[1]

This is the only evidence we possess that these letters ever underwent any examination. It is nowhere stated that they were ever examined in Scotland, although it was there they were alleged to have been written, and hundreds of persons in that country were intimately acquainted with the queen's handwriting. But in presence of the six earls who had been summoned to meet Elizabeth's commissioners on this occasion, it is stated that Mary's letters were compared with genuine letters which she had formerly addressed to the queen of England. It is important to ascertain in what way this examination was made, and it is described in the following graphic terms by Cecil himself: "It is to be noted that at the time of the producing, showing, and reading of all these foresaid writings, there was no special choice nor regard had to the order of the producing thereof; but the whole writings lying altogether upon the council table, the

[1] Goodall, ii. 256.

same were one after another showed rather by hap, as the same did lie upon the table, than with any choice made, as by the natures thereof, if time had so served, might have been."[1] What is meant by the expression "if time had so served" we can only guess; and it is remarkable that the secretary, usually so calm, patient, and methodical, should have allowed an investigation of this kind to be conducted in the confused and hurried manner he has himself described. When we consider that the whole question at issue depended on the genuineness of these letters,[2] the bitterest enemy of the Scottish queen will hardly maintain that this kind of haphazard inspection, in the absence of the accused or of any one on her behalf, was satisfactory.

And we have evidence that this was the opinion of some at least of the noblemen who were present. We may assume that Cecil was eager at this time to obtain some decided expression of opinion against the Queen of Scots; but we learn from the Spanish ambassador that unanimity did not prevail at the last meeting of the conference, and that some of the members present had had the courage to check the unseemly violence of the secretary.[3] This statement is corroborated by

[1] Goodall, ii. 258.

[2] The Bishop of Ross, in his defence of Queen Mary's honour, asks: "But who conferred these letters? You will peradventure answer that there was due collation by you made. O perfect and worthy collation! O meet and apt men for such a purpose! as though it is not notoriously known throughout the world that ye are her most mortal enemies." In spite of Cecil's description, Mr Froude says that the queen's letters "were examined long and minutely by each and every of the lords who were present."—Vol. ix. 347.

[3] "Dichos señores havian mostrado algun valor y contrastado un poco la furia terribile con que el secretario Cecil queria perder aquella señora."—MSS., Simancas, quoted by Lingard, vi. 94.

Camden,[1] who asserts that Norfolk, Arundel, Clinton the lord admiral, and even Sussex, maintained that the Queen of Scots had a right to be heard in person. That Sussex should on this occasion have sided with the opponents of Cecil may create surprise; but we can well imagine that, although as a colleague he had given the secretary his best advice, he could not so far forget his manhood as to condemn without a hearing a woman and a queen. The result of the two days' deliberations at Hampton Court appears to have been a compromise. No opinion was expressed as to the guilt or innocence of the Queen of Scots; but the six earls who had been summoned to the Council tendered their thanks to Queen Elizabeth for imparting to them the state of "this great cause in so plain a manner as they did perceive it; wherein they had seen such foul matters as they thought truly in their consciences that her majesty had just cause herein given to make to the said commissioners such an answer, being as reasonable as the case might bear; and the rather for that they could not allow it as meet for her majesty's honour to admit the said queen to her majesty's presence as the case now did stand."[2]

The only opinion, therefore, which Cecil could obtain from the six earls was, that their mistress was justified in refusing to receive the Queen of Scots as her case then "did stand." But Mary did not now seek to be received as a guest by the Queen of England. She demanded as a matter of right that she should be confronted with her accusers in presence of the English nobility and the foreign ambassadors; and the advice of the six earls, as recorded in Cecil's narrative, would

[1] Book i. [2] Goodall, ii. 260.

lead us to suspect that the fact of this demand had been concealed from them. It is difficult to account in any other way for the very peculiar terms in which they are said to have expressed themselves.

Thus terminated these famous conferences, the history of which we derive entirely from Mary's enemies; and if it does not convince us of her guilt, it convinces us, at least, of the utterly unscrupulous character of her accusers, and of the gross partiality of Elizabeth's ministers. On the day following, the 16th of December, the Bishop of Ross "had an interview with the English queen, in the course of which she proposed, with many expressions of sympathy for his mistress, that she might answer the charges made against her by the regent, either personally to commissioners to be named for the purpose, or by a writing under her own hand.[1] In his reply, the bishop reminded her majesty,[2] that in consequence of the regent and his friends having been permitted to come to Westminster, his mistress too had demanded to be heard in person in presence of the English nobility and of the foreign ambassadors, and that because of the refusal of this just request she had broken off the conference. But instead of simply undertaking to transmit Elizabeth's new proposals to Bolton Castle, he made a rambling statement, in which, after reminding her of the example of Trajan, who would never allow any prince to be calumniated in his presence, he concluded by recommending that his mistress should be allowed either to return to Scotland or to proceed to France. Here was another injudicious step on the part of Mary's principal adviser, and of which Elizabeth did not fail to take advantage, by

[1] Goodall, ii. 264. [2] Ibid., ii. 267.

observing in reply, "that she could not think them good or trusty servants to her good sister who would seek in the present circumstances to bring about an accommodation between her and the subjects who had accused her of such crimes."[1]

But in the midst of difficulties Mary was ever her own best counsellor; and before she could have received the proposals of Elizabeth, she had anticipated them by a fresh challenge to her accusers. The winter had been unusually severe,[2] and while her enemies were busy at Westminster, heavy snowstorms had blocked up the roads in Yorkshire. But when she at length received intelligence of the proceedings of her accusers, she at once acquainted her commissioners with her resolution, and commanded them forthwith to charge the Earl of Murray "and his accomplices" with the murder of her husband; for that whereas they had alleged that she was guilty of this crime, "they had falsely, traitorously, and wickedly lied," imputing maliciously to her the crime whereof they were themselves the authors, promoters, and some of them the actual perpetrators.[3]

Referring then to the accusation which they had made against her of an intent to destroy her child, she exclaimed, with a burst of genuine feeling, and yet with queenly dignity, "The natural love which the mother bears to her only bairn is sufficient to confound them, and needs no other answer." She added, that all the world knew that the very men who now charged her with this atrocious crime had wronged her son even

[1] Goodall, ii. 268.
[2] Letter of Knollys of 15th December; Record Office.
[3] See the Protestation of Huntly and Argyll; Appendix H.

before his birth; for they would have slain him in her womb, although they now pretended in his name to exercise their usurped authority.[1]

Finally, she directed her commissioners to obtain copies of all the writings produced, "and that we may see," she added, "the alleged principal writings, if they have any produced; and with God's grace we shall make such answer thereto that our innocence shall be known to our good sister and to all other princes." In conclusion, she commands her commissioners expressly to charge her accusers with the crime they had imputed to her, and to demand a reasonable time and opportunity for the production of her proofs.

Mary's letter is dated on the 19th of December, at Bolton Castle, and on the 25th her commissioners repaired to Elizabeth, and informed her that they had received the special commands of their mistress to accuse the regent and his associates of the crime they imputed to her. "They further desired the queen's majesty to cause them to have such writings as were produced against their mistress." This request Elizabeth declared to be "very reasonable," and was very glad to hear that "her good sister would make answer in that manner for the defence of her honour."[2]

But nothing was farther from her intention, or rather from that of Cecil, than to comply with this most just demand. The precise state of things which Sussex had foretold at York had now arisen. Mary had been charged with the murder. She replied by demanding

[1] Goodall, ii. 288. This appears to be the only notice that Mary ever took of the most atrocious of all the accusations made against her, and of which, it has already been observed, not the smallest proof was ever attempted to be offered.

[2] Goodall, ii. 281.

a personal inspection of the evidence, and by accusing her accusers of the crime; and Sussex believed that on a trial of proofs she would have the advantage. Some fresh expedient, therefore, must be devised to prevent a result which might have cost Elizabeth her throne; and we find, accordingly, a variety of notes, in Cecil's handwriting, as to the disposal of the Queen of Scots. In one of these it is suggested that she should be induced, if possible, to resign her crown, through the persuasion of Sir Francis Knollys and the Bishop of Ross;[1] and upon this course Cecil finally determined. He knew that Knollys had acquired considerable influence over Mary; but by what means the secretary and his mistress contrived on this occasion to gain over the Bishop of Ross to their views we do not know.

In the prosecution of this new scheme, a letter was addressed by Elizabeth to Knollys, directing him to suggest to his prisoner, "as if from yourself," that, all things considered, her wisest course would be to acknowledge the government of the regent, "and this whole cause of hers, whereof she hath been charged, to be committed to perpetual silence." Knollys was to take especial care that he should make it appear that the advice proceeded from himself, and that he gave it as her friend. He was further to inform Lord Scrope, "with great secrecy," of the matter, so that, in case the Queen of Scots should refer to him, he might agree with Knollys in opinion. Knollys is further apprised that the Bishop of Ross is about to proceed to Bolton Castle, but that "he has been stayed a day or two upon another pretence," as it was intended to

[1] "To have the queen persuaded hereunto either by Sir Francis Knollys or the B. of Ross."—Cotton MSS., Caligula, c. i. f. 277.

break the matter to him, so that "he shall have cause to deal with that queen" on his arrival.[1]

The scheme was well contrived. Knollys, as the pretended friend of his prisoner, was to suggest that, as a means of "committing to perpetual silence" the accusations of her enemies, she should resign her crown. If she appealed to Scrope, he was to second the advice of his colleague; and, finally, her own chief adviser, the Bishop of Ross, who had been won over for the occasion by her enemies, was intended to appear and overcome any scruples she might entertain upon the subject.

Another letter was addressed, in furtherance of the plan, by Elizabeth to the Queen of Scots herself, in which the utmost sympathy was expressed for her misfortunes, and in which she was earnestly entreated, for the sake of her own honour, to make answer to the charges which had been made against her. But we know, from her instructions to Knollys, that Elizabeth desired exactly the reverse. Her letter winds up with an extraordinary commendation of the Bishop of Ross, the object of which we can be at no loss to discover. "She desires," she says, "specially to note to you your good choice of this bearer, the Bishop of Ross, who hath not only faithfully and wisely, but also so carefully and dutifully, for your honour and weal, behaved himself, and that both privately and publicly, as we cannot but in this sort commend him unto you, as we wish you had many such devoted servants; for, in our judgment, we think ye have not any in loyalty and faithfulness can overmatch him."[2] By such in-

[1] Goodall, ii. 278. The letter to Knollys is dated the 22d December.
[2] Goodall, ii. 270.

sidious phrases did Cecil—for the letter is entirely in his handwriting—seek to throw Mary off her guard, and to tempt her to take a step which must for ever have proved fatal to her reputation. We may add that it clearly appears from Cecil's notes, that even if Mary had been weak enough to fall into the snare so artfully prepared for her, there was no intention of restoring her to liberty. She was still, in his own language, "to remain in the realm, and not depart;"[1] and although it was the depth of winter, secret preparations were being made to remove her as speedily as possible to Tutbury.[2]

The manner in which Knollys performed the ignoble task thus imposed upon him, we learn very clearly from himself. On the 26th of December, before Elizabeth's letter reached him, he had a conversation with the Scottish queen, in which he recommended her to answer the accusations of her enemies, and reminding her that before the conference at York she had instructed her commissioners to reply to any charges that might be made against her honour. Mary replied that it was true that she had done so, but that since that time Elizabeth had broken her promise by allowing Murray to appear at Westminster, while she was detained a prisoner at Bolton Castle. She added, if she was not allowed to answer in person, "she would only answer her adversaries by open publication in

[1] Goodall, ii. 274.

[2] "The Queen of Scots"—that is, after her resignation—"would also be removed to Tutbury, *and no such free access of persons allowed to her as hath been.* There would be a general restraint that none should come or send to her but by the queen's majesty's knowledge."—Goodall, ii. 296. There was therefore a predetermined plan to detain her a prisoner in any event, and also to curtail the degree of liberty which she enjoyed at Bolton Castle.

writing, to make all princes generally, and all the world, judges between her and them."[1] Knollys says that after he had written thus far, he had received Elizabeth's letter of the 22d, "with a memorial of certain reasons to induce this queen to resign her crown to her son." He proceeded forthwith to carry out his instructions by endeavouring first to intimidate his prisoner, and then by fair words to persuade her to resign her crown as the only means of avoiding the dangers which threatened her.

"As soon as she came abroad," he says, "I entered into conference with her, and said, 'If you shall deny to answer, thereby you shall provoke the queen my mistress to take you as condemned, and to publish the same to your utter disgrace and infamy, especially in England of all other places;' and after this sort I began to *strike as great terror into her* as I could." Knollys ought by this time to have known his prisoner better than to attempt to work upon her fears. Instead of being intimidated by his threats, he says, "She answered stoutly, as she would make all other princes know how evil she was handled, coming upon trust into this realm; and saith she, 'I am sure the queen will not condemn me, hearing only mine adversaries, and not me.' 'Yes,' said I; 'she will condemn you, if you condemn yourself by not answering.'" At this point Knollys artfully suggested, in obedience to his instructions, that the best way of saving her honour, and causing all charges made against her to be buried in oblivion, was by offering to resign her crown to her son, and she herself "to remain in England a convenient time." After using all the arguments he could

[1] Knollys to Queen Elizabeth, 26th December; Record Office.

devise to induce her to accede to this proposal, Mary observed that "the judgment of the world would in such a case condemn her." Knollys immediately rejoined, "I spake this only of goodwill, and I desired her not to utter this my speech to my prejudice, and for this matter she might think better upon it at her pleasure; and thus I left her."

It is a proof, among numerous others, of the fatal facility with which Mary became the dupe of pretended friends, that she received as genuine the professions of goodwill with which Knollys made this treacherous proposal. "In the afternoon," he says, "she began to speak with my Lord Scrope, and she told him what advice I had given her herein. 'And surely,' saith she, 'I think he doth not thus advise me to the intent I should be entrapped and abused.' And my Lord Scrope," continues Knollys, "being made privy by me beforehand, did also very secretly persuade her in friendly manner accordingly; and although she is too wise hastily to be persuaded in such a case as this is, yet Lord Scrope and I are in some hopes that if the Bishop of Ross at his coming will secretly persuade her hereunto, that she will yield herein." It is due to Knollys to state that, although he had obeyed his orders, he had no relish for the degrading work imposed upon him, and earnestly desired to be relieved from his post.[1]

Although it was the intention of Cecil, as we perceive from this letter, that the Bishop of Ross should proceed in person to Bolton Castle, this design was not carried out. It was probably, on reflection, deemed a safer course that the bishop should communicate his

[1] See his letter to Cecil of 15th December; Record Office.

advice in writing to his mistress, and this accordingly was done. On the 30th of December a messenger arrived from London with letters from him to the Queen of Scots; and on the following day she had another conversation with Knollys on the subject of her proposed resignation. Knollys seems to have allowed Mary on this occasion to speak without expressing any opinion. "Shall I resign," she at length exclaimed, "for those rebels that have so shamefully belied me?" "No," said Lord Scrope, who was also present; "your grace may do it in respect of her majesty's advice and goodwill towards you." Knollys now seconded the opinion of his colleague; and after hearing all they had to say upon the subject, Mary replied that in two days she would give them a final answer, and then retired for the night.[1]

It was probably because she listened to them with her accustomed courtesy[2] that Knollys and Scrope believed that she would accede to their advice, backed as it was by that of the Bishop of Ross and of their mistress. But they were grievously mistaken. Their prisoner was indeed at this time, to all appearance, absolutely friendless. Her most powerful Continental allies—the Pope, and his vicegerent, Philip of Spain—had not yet forgiven her for refusing to sign the

[1] Caligula, c. i. 279.

[2] Mary left Bolton Castle in the belief, apparently, that Knollys and Scrope had acted as her friends throughout. On her arrival at Tutbury a few weeks afterwards, she wrote to Elizabeth in terms of hearty commendation of "Maister Knolis et my-lor Scrup—de me louer de leur honestes deportemens vers moy."—Fénélon, i. 206. She spells Lord Scrope's name as it was no doubt pronounced; and we cannot believe that she would have spoken in this manner of her keepers if she had known that they had been acting in complicity with Cecil.

Catholic league. Her uncles in France were unable to aid her, and Catherine de Medici regarded her misfortunes with probably as much complacency as Cecil himself. The friendship of the Queen of England, upon which she had so confidently relied, had proved both a delusion and a snare; and last, and worst of all, Leslie, the most zealous of her advocates, the most trusted of her advisers, had to all appearance sided with her enemies. Deprived of all external aid and counsel, Mary had nothing now to guide and to sustain her but her own noble instincts and the hereditary courage of her race. But she was at length awakened to the real designs of her enemies. Upon reflection, she saw and felt that if she resigned her crown at this critical time, her reputation was gone for ever. She saw that such a step must be held, not by her enemies alone, but by all the world, as an avowal of guilt. Such were the thoughts which led, no doubt, to her final resolution. She had promised Knollys that he should have an answer in two days, and she did not fail to keep her word. She informed him at the expiration of that time that her resolution was unalterably fixed, and that she would prefer death itself to the ignominious terms proposed by her enemies.[1]

Cecil had been led to believe that his scheme would prove successful, and that with his pack of treacherous

[1] "Quant à la demission de ma couronne, comm'avez escript, je vous prie de ne me plus, empescher; car je suis resolue et deliberée plustost mourir, que de faire; et le dernière parole que je ferai en ma vie sera d'une Royne d'Escosse," &c.—Record Office. It would be interesting to know whether, before returning her final reply, she consulted those faithful companions of her exile, Lady Livingstone and Mary Seton, who were both with her at this time. It is very probable that, deprived of all other counsel, she had recourse to them.

Scots and servile colleagues he had fairly hunted down his quarry. But she stood gallantly at bay, and bade him do his worst. It is impossible to question the wisdom of Mary in thus decisively rejecting the insidious proposals of her enemies. But how are we to account for the conduct of the Bishop of Ross in thus promoting the designs of Cecil? Leslie has always been held up by the advocates of Queen Mary as one of her most faithful and devoted servants, but his behaviour upon this occasion leads us to suspect either his honesty or his discretion. He had far too much ability not to foresee the inevitable consequences of the step which he urged upon his mistress; and even if he believed that it was her only chance of regaining her liberty—nay, of preserving her life—it is impossible to justify his conduct. We need not, therefore, be surprised that it was the subject of serious complaint by Mary;[1] and all the zeal which he subsequently displayed in her service cannot efface from our minds the impression left by his suspicious interference on this occasion.

A characteristic letter written by Mary at this time shows that amidst all her perplexities she did not lose sight of those who had claims upon her attention. It seems that Willie Douglas, the foundling boy who had aided the queen in making her escape from Lochleven, had been sent on some mission by his mistress; but

[1] "Bien vous suppliè je d'une chose qui est de ne permectre plus qu'il soit mis en avant de si deshonestes et dèsavantaigeuses ouvertures pour moy que celles à quoy l'Evesque de Rosse a estè conseillè prester l'oreille; car comme j'ay priè le dict Maister Knolis vous tesmoigner, j'ay faict vœu à Dieu solemnel de jamais ne me dèmettre de la place ou Dieu m'a appellée," &c.—Mary to Elizabeth, from Tutbury, 10th February 1569; Fénélon, i. 208.

although furnished with a passport by the Queen of England, he had mysteriously disappeared. Mary immediately desired her commissioners in London to represent the matter to Elizabeth, and to entreat her not to allow one who was under her protection, and who "set us at liberty and saved our life,"[1] to fall into the hands of his enemies—one of whom, a servant[2] of the laird of Lochleven, had threatened, if he ever met him, to "put his hands in his heart's blood." Mary also applied to the French ambassador[3] on the subject, and through her exertions Douglas was at length discovered in a prison in the north of England, and set at liberty. It is from incidents like these that we can readily comprehend the extraordinary degree of attachment with which Mary was regarded by her dependants of every degree.

Cecil and his mistress had received an unexpected check by the resolute refusal of Mary to resign her crown, and their embarrassment was increased by the incessant demands which the Scottish queen continued to make for an inspection of the evidence produced against her. On the 7th of January the Bishop of Ross, who appears by this time to have seen the imprudence of his conduct in allowing himself to become the tool of Cecil, along with Lord Herries and the Abbot of Kilwinning, made a fresh attempt to obtain a sight of the papers exhibited by Murray. On that day they had an interview with Elizabeth, and they informed her that they had received fresh instructions

[1] Goodall, ii. 299.

[2] James Drysdale by name. This amiable individual has been introduced by Sir Walter Scott in his admirable romance of 'The Abbot.'

[3] Fénélon, i. 133.

from their mistress to answer to "the calumnious accusations of her subjects," and also to accuse them as the authors, promoters, and perpetrators of the crime of which she was falsely accused by them; and therefore she "desired the writings produced by her rebellious subjects, *or at the least the copies thereof*, to be delivered unto them, that their mistress might fully answer thereto, as was desired."[1]

In her letter of the 19th December, Mary had demanded an inspection of the writings actually produced against her; but she now instructed her commissioners to obtain even copies of these documents. It was a bold challenge to offer to prove the forgery even from copies of her pretended letters; but even copies were not to be obtained. Elizabeth, as usual, desired time for consideration, and promised an answer to the demands of her sister queen in "two or three days."

Before Mary's commissioners took their leave, Elizabeth, acting no doubt by the advice of Cecil, made a last attempt to effect a compromise, by once more suggesting that the Scottish queen should resign her crown in favour of her son. But the Bishop of Ross replied that his mistress could listen to no proposal involving the resignation of her crown, and he was expressly commanded to declare that this was her final resolution, in case any fresh suggestion was made to that effect. Notwithstanding the explicit answer of the bishop, Elizabeth still continued to urge him[2] and his two colleagues to write once more to the Queen of Scots on the subject; but they one and all refused on the spot to comply with this most unreasonable request.

[1] Goodall, ii. 297.

[2] "Her majesty did earnestly press him," &c.—Ibid., ii. 300.

When Cecil had once made up his mind as to the line of conduct he should follow, he adhered to it with singular pertinacity. In the present instance he had arrived at the conclusion that the Queen of Scots must by some means or other be induced to resign her crown, as the best and only means of rendering her powerless for the future. He did not comprehend as yet the lofty spirit of his antagonist, but thought apparently that he would overcome her, as he usually overcame his mistress, by persistently adhering to his point. On the 9th of January, accordingly—only two days after Elizabeth had been assured in the most positive terms that Mary would not upon any consideration resign her crown—he made a fresh attempt, in his own dogged fashion, to accomplish his much-cherished project. On that day, which happened to be a Sunday, Mary's commissioners were summoned to Hampton Court, where they were received by the Duke of Norfolk, the Earls of Arundel, Pembroke, and Leicester, and the secretary. The question of the resignation of the Scottish queen was again discussed; and her commissioners once more declared, in terms more peremptory than ever, that their mistress "would never consent to resign her crown in any way, nor upon any conditions which were or could be proposed, but was determined during her lifetime to retain the same."[1]

Cecil must have been at length convinced that the scheme for the ruin of the Queen of Scots, on which he had set his heart, and the notion of which he had derived from Sussex, was absolutely hopeless. It was therefore necessary to determine, and to determine quickly, what was next to be done. The proceedings

[1] Goodall, ii, 304.

of the conference had been regarded from first to last with extreme suspicion, as well by the foreign ambassadors as by the friends of the Queen of Scots throughout Britain. Cecil knew that in Yorkshire, as well as in the adjoining counties, her partisans were numerous and active; and it is probable that the inquiry could not have been prolonged without the risk of civil war. The secretary found, in short, that he had placed his mistress in a false and a very perilous position, from which he must attempt to extricate her at any cost. She had promised in "two or three days" an answer to Mary's most reasonable demand, that she should be furnished with even "copies" of the papers produced against her, and two days had already passed; but on the third day, instead of fulfilling her promise, the matter was brought to a termination in a manner as extraordinary as it was unexpected.

On Monday the 10th of January Murray and his associates were summoned to Hampton Court, where, by the mouth of Cecil, they were informed that, "forasmuch as there has been nothing produced against them, as yet, that may impair their honour or allegiance; and on the other part, *there had been nothing sufficiently produced nor shown by them against the queen their sovereign, whereby the Queen of England should conceive or take any evil opinion of the queen her good sister for anything yet seen;* and there being alleged by the Earl of Murray the unquiet state and disorder of the realm of Scotland, now in his absence, her majesty thinketh meet not to restrain any further the said earl and his adherents' liberty, but suffer him and them at their pleasure to depart," &c.[1]

[1] Goodall, ii. 305.

Cecil must have been, indeed, hard pressed when he was forced to close the inquiry by this astounding announcement. He and his mistress had first urged the Queen of Scots to reply to the charges made against her; they had then endeavoured, by the most treacherous means, to induce her to resign her crown; and finding that she not only saw through their schemes, but persisted in her demand for the production of the papers exhibited against her, they suddenly declared, in effect, that this was wholly unnecessary, for that the charges made against her were disproved by the evidence adduced in their support.

Two things are to be specially noted in this remarkable declaration. The first is, that the Queen of Scots was pronounced to be innocent; and the second, that Murray obtained leave to return to Scotland with his pretended proofs at the very time when he and his associates were themselves charged with the crime of which they had accused their sovereign. These points mutually explain each other. If Mary had been declared guilty, it would have been impossible to refuse her a sight of the writings produced against her, and this was obviously deemed too hazardous to be attempted. If Murray was allowed to remain in England, the Queen of Scots, according to Sussex, would probably succeed in turning the tables on her accusers,[1] a consummation which at the time might have proved fatal not only to Elizabeth, but to Protestantism in Britain. The expedient to which Cecil resorted to avoid the dangerous alternatives before him

[1] She had already obtained from her lieutenants in Scotland, Huntly and Argyll, a "protestation" or statement of what took place in their presence, and in the presence of Murray, at Craigmillar, when Maitland proposed to get rid of Darnley.—See Appendix H.

was at the best a clumsy one, but it served his purpose for the time. Mary's commissioners were assured that the reputation of their mistress was unblemished; and the regent was hurried back to Scotland with his box of papers, where they never more saw the light of day.[1] Before his departure for the north, he received the sum of £5000 from the English treasury[2] for attempting to destroy his sister's character by means of proofs which Elizabeth, by the mouth of her secretary, declared to be absolutely worthless.

On the following day, the 11th of January, there was another meeting at Hampton Court, which was

[1] What eventually became of the famous silver casket and its contents is one of the unsolved mysteries of Scottish history; but it is nowhere stated that they were ever exhibited except on the two occasions at Westminster and Hampton Court already described. It is nowhere stated that they ever underwent any examination in Scotland, either before or after the Westminster conference.

Laing asserts that the very disappearance of the alleged letters of the queen "*demonstrates* that they were genuine" (i. 330). To maintain that the disappearance of documents alleged to be forged affords conclusive proof of their authenticity, is an argument of a very novel kind; but Laing endeavours to support it by suggesting that the pretended proofs of Mary's guilt were destroyed by her son James when he reached manhood, as he would be anxious to obliterate all traces of his mother's guilt. But if this were so, it is difficult to explain the preservation of the contemporary copies of the queen's letters in the State Paper Office. It is still more difficult to explain the preservation of the depositions of Paris, which accuse the queen directly of the murder, and contain, in fact, the only positive evidence on the subject that ever existed.

Although Laing throughout his History expresses himself with extreme confidence respecting the authenticity of the queen's letters, he seems in private to have used language of a very different kind. I have now before me a letter of his dated 19th March 1800, and addressed to George Chalmers in London, and thanking that gentleman for having sent him from the State Paper Office a copy of the long Glasgow letter (No. 2). Laing had then for some time been engaged on his work, and he says, "I have hitherto been inclined rather to consider the letter as genuine." The letter of Laing was kindly lent to me by his namesake David Laing, Esq., of Edinburgh.

[2] See Murray's receipt for the money; Fœdera, xv. 677.

attended both by Murray and his colleagues, and by Mary's commissioners; and Cecil inquired of the latter if they would accuse Murray and his adherents of the murder of Darnley. They immediately replied that they had the express commands of their mistress to that effect, as well as to answer all calumnies which had been uttered against her, provided they might have "the copies of the pretended writings given in against their mistress, which they have divers times required of the queen's majesty and her Council, but they have not as yet obtained the same; and how soon they received the copies thereof, she would answer thereto in defence of her innocence."[1]

To this fresh demand Cecil had no reply to make; and on the very next day—namely, the 12th of January—Murray and his associates obtained formal leave to return to Scotland.

On the 13th Mary's commissioners again repaired to Hampton Court, and repeated once more in presence of the Council the demand of their mistress to be furnished with copies of the papers produced against her; but by this time Cecil had invented a new pretext for delay. He said that Elizabeth would comply with their request only on condition that the Queen of Scots sent a special writing, signed with her hand, "promising that she would answer to the said writings and articles laid to her charge without any exception." We thus find that Cecil changed his tone as soon as Murray and his friends had turned their backs. He had distinctly declared that nothing had been proved against the Queen of Scots; and he now required a written undertaking that she would answer

[1] Goodall, ii. 308.

the charges made against her, which only two days before he had pronounced to be groundless. But Mary's commissioners reminded him on the spot that she had already, by two several writings under her own hand, and shown to the Queen of England, offered to make answer whenever she was furnished with the papers produced against her, or even with copies. They further complained that Murray and his associates were allowed to return to Scotland after they had been expressly charged by their mistress with the murder of her husband.

To the first point Cecil made—for he could make—no answer; to the last he replied that the Earl of Murray had promised to return if the Queen of England should require his presence at any future time; "but in the mean time," Cecil added, "the Queen of Scotland could not be suffered to depart, for divers respects."[1] No further explanation was or could be made of the determination of the ruling faction to detain the Queen of Scots a prisoner in England, which was obviously the intention of Cecil and his supporters from the time of her arrival. To attempt to give any reasons for their decision would have been hopeless. They had examined the charges made against her by her rebellious subjects; they had pronounced those charges to be groundless; and they treated her, nevertheless, as if they had been proved. Mary's commissioners made a notarial protest against the decision of the Council in thus detaining their mistress a prisoner, while her rebellious subjects were allowed to return to Scotland; and this brought the day's proceedings to a close.

[1] Goodall, ii. 312.

Foiled in every attempt to obtain a sight of the writings produced against her, Mary had recourse to a fresh expedient. She applied to the French ambassador, La Mothe Fénélon, on the subject. On the 20th of January, accordingly, he had a long interview with Elizabeth, in the course of which he expressed his hope and his belief that she would not allow a princess who had sought an asylum in her dominions to be oppressed by her rebellious subjects; and that she would cause the papers which they had produced at Westminster to be furnished to the commissioners of the Scottish queen.

Elizabeth's better feelings seemed to be touched by the ambassador's appeal, for he says that she listened to him with visible emotion. She even rashly promised, for Cecil was not by her side, that on the following day[1] the writings should be placed in the hands of Mary's commissioners.

It has been generally assumed by the enemies of the Queen of Scots, that notwithstanding her repeated applications for a sight of the papers produced against her, she did not in reality wish to obtain them. But this proceeding of the French ambassador, which has not, so far as I know, been hitherto noticed by any writer, affords the clearest proof of her sincerity; and the succession of devices by which Cecil and his mistress sought to evade her just demands, furnishes proof no less decisive that they were resolved, at the expense of any amount of equivocation, that the evidence produced should be withheld from her inspection. It is hardly necessary, therefore, to inform

[1] "Que le lendemain elle accorderoit aux depputez de la dicte dame la dicte communication."—Fénélon, i. 133.

the reader that Elizabeth did not keep her promise. We find that ten days later—namely, on the 30th of the month—Fénélon took occasion in person to remind her[1] of it; but having been no doubt duly tutored in the interval, she flew into a passion—real or feigned it matters not to inquire—and complained that Mary had written a letter to one of her partisans in Scotland complaining of her gross partiality at the conferences, and also charging Murray with designs on the Scottish crown. This was the last and the weakest of all the artifices devised by Cecil and his mistress. Because, as they alleged, the Queen of Scots had complained of their notorious partiality, and because she had expressed suspicions of her brother's real designs, she was denied a privilege accorded to the meanest of criminals. Some days before this interview took place—namely, on the 26th of January—Mary had been forced against her wishes to quit Bolton Castle, and to set out in the midst of most inclement weather for her new prison of Tutbury. It had no doubt been determined from the first that she should not be allowed a sight of the evidence produced against her at Westminster; and if there was no other proof of fraud, the persistent refusal of her enemies to allow her to inspect it would be held

[1] Fénélon, i. 162. There is a letter of the description referred to by Elizabeth in the Cotton Library (see Goodall, ii. 325), but it is not in Mary's hand, and she declared that, although she had written a letter at this time to one of her partisans in Scotland, she had made no unfriendly allusions in it to the Queen of England.—See letter of Knollys to Cecil, 28th January; Record Office. It is admitted that the letter was intercepted by Mary's enemies. It may easily have been interpolated by the same hands. But assuming it to be perfectly genuine, it had nothing to do with the question at issue between the two queens.

alone sufficient, by any tribunal in the civilised world, to deprive it of all credit.

Although Murray was extremely desirous at this time to return to Scotland, he had received information which induced him, for very sufficient reasons, to delay his departure. His whole conduct towards his sister had created the utmost indignation among her friends in the northern counties, and some of the leading gentry of Yorkshire and Durham had determined to attack him and his followers on their return to Scotland. The enterprise, he had discovered, was heartily approved by the Earl of Westmoreland, the most powerful and zealous of the partisans of the Scottish queen in that part of the kingdom, and whose zeal in her cause, it thus appears, had been in nowise abated by the alleged proofs of her guilt which had been exhibited before him at Hampton Court. Elizabeth herself at this time could not have protected the regent against the threatened danger; but he was never wanting in dexterity and cunning, and he was indebted for his safety on this occasion to a device which probably no one but himself could have practised with success.

The project of his sister's marriage with Norfolk had been privately discussed, before the termination of the conference at York, between the regent and the duke; but at Westminster, in consequence of the accusation of the Scottish queen, the matter had been entirely dropped. Murray now revived it in a manner which he has himself described, and with an object which he does not seek to conceal. "It being whispered and showed to me," he says, "that if I departed, he [the duke] standing discontented and not satisfied,

I might peradventure find such trouble in my way as my throat might be cut before I came to Berwick; and therefore, since it might well enough appear that he aspired to her marriage, I should not put him in utter despair that my goodwill cannot be had therein. So, few days before my departing, I came to the park at Hampton Court, where the duke and I met together, and there I declared that it was come to my ears how some misreport should be made of me to him, as that I should speak irreverently and rashly of the said queen my sovereign's mother." Continuing in the same strain, the regent declared that if his sister was once "separate from that ungodly and unlawful marriage that she was entered in, and then after were joined with such a godly and honourable personage as were affectioned to the true religion, and whom we might trust, I could find in my heart to love her, and to show her as great pleasure, favour, and goodwill as ever I did in my life. And in case he should be that personage, there was none I should better like of," &c. We know not whether to be most astonished at the hypocrisy of Murray in thus professing the sincerest affection for the sister he had just accused of the most horrid crimes, or at the credulity of Norfolk, who was induced to give faith to such professions. But the regent was an excellent judge of human character, and he completely succeeded in persuading the duke that he was his friend, although when they parted some lurking suspicion did cross his mind. "Earl of Murray," he said, "thou hast Norfolk's life in thy hands."[1] These ominous words must have

[1] Trial of the Duke of Norfolk; State Trials, i. The account given by Murray of his interview with the duke agrees substantially with

made a deep impression on the mind of the regent, for he repeated them some months afterwards to Queen Elizabeth, when it became necessary to preserve her favour by bearing witness against the duke.

This interview is one of the most remarkable incidents in the history of these proceedings. Murray had just accused his sister of the murder of her husband and of other crimes besides; and Norfolk had seen, at York, at Westminster, and at Hampton Court, all the proofs that were produced in support of the charge. Yet the project of the marriage was once more revived by Murray and entertained by Norfolk, as if the silver casket and its contents had never been heard of. Human nature must have undergone a wonderful change during the last three centuries, if Murray, believing in the genuineness of his proofs, could have made such an overture at such a time to Norfolk; or if Norfolk, believing them to be genuine, could have lent a willing ear, which he unquestionably did, to the proposals of the regent.

It is certain, at all events, that they parted friends; and in consequence of the interview, Sir Robert Melvill was immediately despatched to Ripon, where the Queen of Scots then was on her journey from Bolton Castle to Tutbury, and obtained from her a letter or writing of

that of the Bishop of Ross, who no doubt received his information from Norfolk. According to the bishop, Murray told the duke that his sister the queen "was the creature upon earth he wished most good and honour unto."—Leslie's Negotiations; Anderson, iii. 35. He also told the duke that she "had been troubled in times past with children, young proud fools, and furious men" (alluding to Francis II., Darnley, and Bothwell), "and that her subjects would be glad to see her joined to a wise man," &c.—Anderson, iii. 38.

In relating the circumstances, Mr Froude says that Murray "consented to an interview with Norfolk" (ix. 423). But it is obvious from Murray's own words that the interview was sought by him, and with the object he very clearly explains.

some kind, enjoining Westmoreland and his adherents not to offer any violence to the regent or his followers on their return to Scotland.[1] Murray lost no time in availing himself of the opportunity now afforded for his safe retreat, and travelling with all expedition, he reached Berwick on the last day of January. From this place he addressed a letter to Cecil, which plainly betrays his duplicity to Norfolk. The regent says that, from all he can learn, his sister is by no means destitute of friends, "and so methinks there was never greater occasion to be careful of her surety."[2] A few days before, he had led Norfolk to believe that he cordially approved of his marriage with his sister; and when—entirely through Norfolk's intervention—he reached Scotland in safety, he immediately recommended Cecil to keep her in closer custody than ever. Notwithstanding his language to the duke, there cannot be a doubt that from first to last Murray was decidedly opposed to the marriage, and for the obvious reason that it must have proved fatal to his own political influence and power.

Murray had acquainted Cecil, on his arrival in Scotland, that the queen was by no means destitute of friends. Her lieutenants, Huntly and Argyll, were in fact at the head of a much larger force than the regent could have mustered to oppose them; but he had the address to induce his sister, through the influence of Norfolk, to command her friends to abstain for the present from all hostilities. In obedience to their mistress, they reluctantly allowed Murray to resume the reins of government; and he proceeded with remarkable energy to consolidate the power which, had

[1] Leslie's Negotiations, *ubi supra.* [2] Goodall, ii. 333.
[3] Tytler, vi. 6.

they known the truth, they might very probably at this time have succeeded in wresting from his hands.

While the regent was availing himself of the opportunity thus afforded him of collecting his scattered strength, the Duke of Chatelherault and Lord Herries arrived in Scotland. The former had resided for some time in France, but he had been in London during the conference at Westminster, and he now bore the commission of the Queen of Scots as her lieutenant-general. Lord Herries, by whom he was accompanied, was one of the ablest and most faithful of Mary's adherents, and the regent had no alternative but to disarm these new and formidable enemies, or to resign his power. In the hope of winning them over to his side, he invited them to an interview, and they met at Glasgow on the 13th of March. It was in vain that he endeavoured on this occasion to induce them to acknowledge the authority of the infant king; but it was agreed that another meeting should take place on the 14th of April at Edinburgh. Surrounded on this occasion by his friends, the regent now dropped the mask, and on the appearance of Chatelherault and Herries, he produced a paper, and called upon them to subscribe it on the spot as an acknowledgment of the king's authority. Taken completely by surprise, they hesitated, protested, and finally refused to comply with this arbitrary requisition. The regent was prepared for this contingency. The two noblemen were immediately arrested. Lord Herries, the more formidable of the two, was sent forthwith to Edinburgh Castle—the duke followed on the next day; and they were both detained as prisoners during the remainder of the regent's life.[1]

[1] This flagrant breach of faith on the part of the regent was con-

Murray now no longer pretended to keep terms with the queen's friends, and shortly after the imprisonment of Chatelherault and Herries, he published a proclamation accusing her afresh of the murder of her husband. It was but a few weeks before that he had assured the Duke of Norfolk, and had even induced that nobleman to believe, that he regarded his sister with the sincerest affection, and he now publicly branded her as the most infamous of her sex.[1]

Argyll and Huntly were still in arms for the queen; but on the first of these nobles small reliance could be placed, and as the tide seemed to turn in favour of the regent, he was soon brought to terms. From the time that the queen had generously restored to Huntly his title and estates, he had acted the part of a loyal subject; but he now stood alone, and in the beginning of the summer he was reluctantly compelled to acknowledge the authority of her mortal enemy. We learn from a contemporary source that about this time four priests were condemned to death at Stirling for celebrating the mass. The extreme penalty of the law, prescribed by the Act of 1560, was remitted by the regent; but the unfortunate victims of Calvinistic zeal were exposed on the pillory, and subjected to every species of indignity by the populace.[2]

demned even by many of his friends. The duke and Lord Herries had come to Edinburgh on the express agreement that their persons were secure. "And for security of the cuming of the nobility foirsaid, my lord regent promeiss on his honour that they shall be skaithless and without danger in their cuming, remaining, and returning."—See the Articles drawn up at Glasgow; Historie of James the Sext, 61.

[1] Proclamation of 13th May; Record Office. Fénélon, i. 342.

[2] They were "bund to the mercat-croce, with thair vestmentis and challices in dirisioun, quhair the people caist eggis and uther villany at thair faces be the space of an hor, and thairefter thair vestmentis and challices were brunt to ashes."—Historie of King James the Sext, 66.

CHAPTER XV.

STATE OF FEELING IN ENGLAND—REBELLION IN THE NORTHERN COUNTIES—DEATH OF THE REGENT MURRAY.

WHILE the regent was thus making the most strenuous efforts to re-establish his authority in Scotland, the prospects of his sister in England had assumed a much more favourable aspect than ever.

Although Cecil had succeeded in forcing the regent to accuse the Scottish queen, and had thereby, as was intended, created an irreparable breach between them, the results of the conference had by no means fulfilled the anticipations of the secretary. At York Mary had won an easy victory over her opponents. At Westminster, her triumph, although less speedy, was still more decisive, for they retired in haste from the field rather than submit their papers to her inspection; while, to cover their retreat and silence her complaints, Elizabeth declared that there had been nothing proved against her sister queen. To detain her as a prisoner after this declaration was an outrage too gross, even in that age, to be committed with impunity; and Cecil soon discovered that his tortuous policy, instead of destroying the reputation of the captive queen, had created in her favour a

dangerous amount of sympathy among all classes of society. A variety of incidents convinced him that in spite of all his efforts her friends were increasing in number and importance every day. Her commissioners, before their departure for the north, were invited, along with Lord John Hamilton, to a banquet by the Lord Mayor of London.[1] The most zealous and faithful of her friends, Lord Herries, was entertained at supper by a party of members of the Inns of Court, an incident as to which the indefatigable minister at once set on foot the most searching inquiries.[2] A discovery of a far more alarming kind which he made shortly afterwards could not fail at length to convince him that the line of conduct which he had forced upon his mistress was fraught with the utmost danger both to her and to himself.

The secretary had ever been regarded with distrust and jealousy by the ancient nobility, Protestant as well as Catholic, who, from political as well as religious prejudices, were generally opposed to the levelling doctrine of the Reformers. His conduct during the conference[3] at Westminster furnished his enemies with fresh grounds of dissatisfaction, and shortly afterwards events in France tended greatly to stimulate the hopes of the English Catholics. On the 16th of March the Huguenots sustained a crushing defeat at Jarnac, and they lost, besides, on that occasion,

[1] Miss Strickland, vi. 291.

[2] "What time was ye supper at ye King's Head in Fleet Street, when 16 of ye Inns of Court made the Lord Herries a supper? How many do you know of them, and what are their names and places of abode?"—Examination of Thomas Bishop, note in Cecil's hand; Caligula, c. i. 296.

[3] It appears that the project of overthrowing him was formed during the conferences.—Fénélon, i. 59; letter of 28th December.

their commander, the gallant Condé, who perished, after making the most heroic efforts to retrieve the fortunes of the day,[1] at the early age of thirty-two.

The chief opponents of Cecil in the Council were the Duke of Norfolk, and the Earls of Arundel and Pembroke, and they not only contrived to gain over Leicester to their side, but they employed the queen's favourite to shake her confidence in the secretary by artfully insinuating that his policy of supporting in secret the rebellious subjects of foreign princes was alike discreditable and dangerous. But Elizabeth listened with impatience upon this point even to Leicester. With all her weaknesses, she never failed to appreciate those who faithfully served her; and she took the part of Cecil with so much warmth and spirit[2] that his opponents in the Council were forced to seek the accomplishment of their purpose by other means. The intrigue soon reached his ears; but no one could better accommodate himself to circumstances than the supple secretary, and instead of presuming too confidently on the queen's support, he endeavoured, by his conciliatory bearing towards the discontented lords, to disarm their hostility; and to some extent he was successful.

The enemies of Cecil were soon engaged in a new intrigue, suggested, it is said, by Leicester. This was the fulfilment of the project of the marriage between Norfolk and the Scottish queen. The matter was secretly communicated by the above-named nobles to the Bishop of Ross, and a letter was drawn up in

[1] Lacretelle, Guerres de Religion, ii. 222. He led the last charge, although he had an arm disabled and a leg broken in the battle.

[2] Fénélon, i. 235, 236.

the names of Norfolk, Arundel, Pembroke, and Leicester, proposing that the Queen of Scots should be restored to her throne, and receive a confirmation of her claim as next in succession to the crown of England, on the following conditions: That she should never impugn the rights of Elizabeth or of the heirs of her body; should conclude a perpetual league, offensive and defensive, with England; should allow the establishment of the Reformed religion in Scotland; should pardon her disobedient subjects; should procure from the Duke of Anjou a renunciation of any claims she might have made to him; and, lastly, should consent to a marriage with the Duke of Norfolk. It is plain that the whole of these proposals were made in a spirit of perfect loyalty to Elizabeth; and this could hardly be otherwise when we bear in mind that the four noblemen in whose names they were to be presented to the Scottish queen were all Protestants.[1]

This letter was carried to Tutbury by a retainer of the Earl of Leicester, and the reply of Mary was satisfactory. With regard to the last and the most important point—her proposed marriage with Norfolk—she said that her sorrowful experience would lead her to prefer a single life, but that she was willing to defer to the judgment of others in a matter which concerned the welfare of both realms, provided—and this she specially required—that they should first obtain the consent of her sister the Queen of England.[2]

The project of the marriage was afterwards com-

[1] Lingard, vi. 98.

[2] Even Mr Froude admits that her reply was "graceful, dignified, self-respectful."—Vol. ix. 456.

municated to the Earl of Bedford,[1] another zealous Protestant; to the Earl of Shrewsbury, whose orthodoxy was doubtful; and to the two Catholic Earls of Northumberland and Westmoreland; and by all it was warmly approved. Throgmorton, who always seems to have entertained a friendly feeling towards the Queen of Scots, supported it with all his influence; and even Cecil himself, perceiving that he must either swim with the tide or sink, gave a tacit, though no doubt a most reluctant, consent to the scheme.

We find, therefore, that at the very time when Murray, notwithstanding the professions of affection for his sister which he had so recently made to Norfolk, was once more proclaiming her a murderess and a tyrant in Scotland, the leading nobility and statesmen of England were not only bent on her restoration, but were ready to acknowledge her as the heir-presumptive of the English crown. It is obvious that their conduct at this time can admit of only two explanations. Every one of the men who gave his assent to the proposal made to the Scottish queen, had, with the exception of Throgmorton, a very short time before seen, either at Westminster or at Hampton Court, the whole of the evidence produced against her; and if they believed it to be genuine, they were so utterly lost to all sense of honour and shame as to recommend that a murderess of the worst de-

[1] The Earl of Bedford had had much better opportunities of judging of the character of the Queen of Scots than any of the other noblemen, for he had been in Scotland very shortly before Darnley's murder. He was, moreover, a constant supporter of the regent's faction; and that he should so soon after the accusation of Mary at Westminster have approved of the project of Norfolk and his friends, is a circumstance which seems to admit of only one interpretation.

scription should be acknowledged as the successor of their sovereign. If, on the other hand, they gave, like Elizabeth, no credit to the unverified accusations of Mary's enemies, their conduct is sufficiently explained. On which side the probability lies the reader will determine for himself.[1]

The assent of all the leading men in England, both Protestant and Catholic, having been secured, it only remained to impart the matter to Elizabeth; and it was determined that Maitland, in whose busy brain the project had originated, and who for diplomatic audacity and readiness of resource stood unrivalled, was the fittest person for the purpose. But events in the mean time took place in Scotland which prevented this intention being carried out.

Mary informed her friends in the north of the proposal she had received, and requested that at a convention of the nobles which was to take place on the 25th of July, it should be considered whether her marriage with Bothwell could be annulled. In consequence of the rigorous measures adopted by the regent against the queen's friends since his return to Scotland, a coldness had arisen between him and Maitland, who was now devoting himself entirely to

[1] We need not be surprised that, when the leading Protestant nobles both of England and Scotland were thus in effect proclaiming the queen's innocence, the Catholics went further, and declared that her accusers were the real murderers of her husband. In a letter addressed from London to Cosmo de Medici immediately after the conference at Westminster, it is stated, "Che da tutti fu conoscinto senza dubio alcuno, che ella era innocentissima, *et che li accusatori erano colpevole di questo delitto.*"—To Cosmo de Medici, February 1569; Labanoff, vii. 147. Even the King of Spain and his representatives forgot that she had refused to sign the Catholic league, and no longer insinuated that, being a heretic, she might also be a murderess.

the service of his mistress. This was only a prelude to a more serious breach between these celebrated men, who had so long acted together as the most active leaders of the Scottish Reformation.

At the convention, which was appointed to meet at Perth, it was a matter of general surprise that the regent did not appear; but his principal adherents—including Morton, Ruthven, Lindsay, and other well-known enemies of the queen—were present; and when Maitland read her letters calling their attention to the subject of a divorce from Bothwell, a violent debate arose. Maitland suggested that the matter should be referred to the judges for their opinion; but this proposal was vehemently opposed by Macgill, the clerk-register, who denounced even as impious the motion of the secretary.[1] Maitland, no longer doubting the treachery of the regent, calmly retorted that it was very strange that those who had so lately taken up arms expressly for the purpose of separating the queen from Bothwell should have now so entirely changed their minds. This taunt, the bitterness and truth of which was felt by every one in the assembly, only aggravated the hostility of the rival factions. It was even asserted by one of Maitland's opponents that his proposal amounted to an act of treason against the king's authority, a sentiment which was received with acclamation by the queen's enemies. A scene of utter confusion followed, and the convention broke up without coming to any decision.[2]

We have seen that Murray, only a few months

[1] The Earl of Sussex had observed at York in the previous autumn that Macgill and Maitland were not friends.—See his letter, Appendix A.

[2] Tytler, vii. 235.

before, when he pretended, for very sufficient reasons, to favour the project of the Duke of Norfolk's marriage with his sister, had expressed the strongest wish to see her separated from Bothwell.[1] We now see that after his purpose had been served he took the most effective means of preventing a divorce. Shortly after the Perth convention Maitland was accused of the murder of the king. The charge was no doubt preferred at this time with the double object of detaining him in Scotland, and of destroying his credit with the supporters of the Norfolk marriage in England. It was now, and not till now, that the regent and his friends referred to the depositions or confessions of Paris in proof of Maitland's guilt. But we have seen that Paris was delivered up to an emissary of the regent ten months before,[2] and that not a word was said in the interval of this most important witness. The fact of the depositions being drawn up at this time[3] can only be explained by the determination of the queen's enemies in Scotland to defeat if possible the project of the Norfolk marriage. The fact of their subsequent concealment, as well from her enemies as from her friends, has already been sufficiently accounted for.[4]

Maitland was arrested at Stirling in the beginning[5] of September, and it was intended to confine him in Tantallon Castle, a place of immense strength at that time, under the control of Morton; but before the secretary had reached that gloomy fortress he was rescued by his friend the Laird of Grange, and car-

[1] *Ante*, 481. [2] On the 30th October 1568; *ante*, 250, note.
[3] They are dated the 9th and 10th August 1569; Goodall, ii. 76.
[4] *Ante*, 251. [5] Tytler, vii. 239.

ried off in triumph to Edinburgh Castle, of which Kirkaldy was the governor. Both of these men had now joined the party of the queen, to which they steadily adhered during the remainder of their lives, and their desertion proved a serious and perhaps a fatal blow to the authority of the regent. There was no man in Scotland who for political knowledge and experience could compare with Maitland; there was none who for military skill and personal integrity could compare with Grange. Although youthful fanaticism had led him to take part in the murder of Cardinal Beaton, he seems in his maturer years to have formed a juster estimate of the men who rendered their religion a pretext for the gratification of every evil passion. John Wood, the regent's secretary, was employed to bring back if possible so important a personage to the ranks of the queen's enemies; but after listening to all he had to say, Kirkaldy curtly replied that he saw nothing among them but "envy, greediness, and ambition," whereby, he added, they would wreck the regent and ruin the country.[1] Murray himself made a last attempt to win back the redoubtable Laird of Grange by paying him a visit in Edinburgh Castle. That the regent should in this age of treachery and violence have put himself in the power of a declared enemy, furnishes a striking proof of the universal belief in the chivalrous character of Kirkaldy. But the regent, as has been well remarked, could trust him although he could not trust the regent.[2] We may add that the latter succeeded no better than his secretary in his attempt to regain the valuable services of Grange.

[1] Melvill, Memoirs, 101. [2] Ibid.

Another important member of Murray's faction, Sir James Balfour, went over at this time to the party of the queen; and it is a suspicious coincidence, as we have already remarked,[1] that he as well as Maitland is, according to the depositions of Paris, implicated in the king's murder. It is another suspicious circumstance that Huntly and Argyll, who had accused the regent at Westminster[2] some months before, were also implicated in these depositions, which were by common consent consigned to oblivion at the time, but which modern writers have invested with a degree of importance utterly denied to them three centuries ago.

The defection of Maitland may be taken as conclusive proof at this time of the growing strength of the party of the queen. Throughout his busy and erratic career there was one guiding principle which the secretary kept steadily in view, and that was, amid the strife of parties ever to choose the strongest side. So unpopular, indeed, at this time had the regent become, that Maitland assured the queen that not one even of the clergy would oppose her return to Scotland, with the solitary exception of Knox.[3] We shall find that upon the latter point his opinion was speedily confirmed.

In the mean time events had taken place in England which seriously altered the position and the prospects of the Scottish queen. The project of her marriage with the Duke of Norfolk had been carefully concealed from Elizabeth, in the belief that Mait-

[1] *Ante*, 249.

[2] See Appendix H.

[3] Maitland to Queen Mary. He says if she can come to Scotland she will not have a man against her.—September 20; Record Office.

land, on his arrival in London, might be able to overcome her opposition; but the arrest of the secretary in Scotland, an expedient to which Murray had no doubt resorted to defeat the scheme, caused an inevitable delay; and while its promoters were hesitating how to proceed, their secret was betrayed to the English queen by Wood,[1] the regent's secretary, and very probably by the orders of the regent. Elizabeth, who already entertained strong suspicions of Norfolk, was furious at the discovery, and after some hesitation she sent the Duke to the Tower, and forbade his friends, Leicester, Arundel, and Pembroke, to appear at Court. The Bishop of Ross, Throgmorton, and Lord Lumley, another promoter of the marriage, were placed under arrest, and the most stringent means were taken to prevent the escape of the Queen of Scots. The Earl of Huntingdon was joined in the commission with the Earl of Shrewsbury, and a most rigorous search was made in her private repositories at Tutbury for any letters or papers relating to the marriage. None were found, and she complained with justice of the invasion of her apartments by the armed retainers of her two keepers. She was not aware that she had at this time a graver subject of complaint. Although no evidence of her assent even to the marriage had been found, a secret order had been sent down to the two earls, that in the event of any rising on the part of Norfolk's adherents, she should immediately be put to death.[2]

[1] Anderson, iii. 50-55.

[2] See letter of the Earl of Leicester, printed in Tytler, vii. 383. Leicester says that the great seal was sent down to the two earls at this time as their warrant, in case of need, for the immediate execution of their prisoner.

The proceedings of Norfolk and his friends had been watched with deep interest in the northern counties, where the most powerful of the nobility and the great body of the gentry favoured the claims of the Queen of Scots. The two Earls of Northumberland and Westmoreland had been summoned to Hampton Court, with other of their peers, to examine the alleged proofs of her guilt. What opinion they entertained upon the matter we do not know; but it is certain that their ardour in the cause of the captive queen was in no wise diminished by a sight of the papers produced by the regent. They conferred while in London with the Bishop of Ross, with the Spanish ambassador, and with Ridolphi, a Florentine merchant and an agent of the Papal Court, regarding the means of liberating Mary; and both being zealous Catholics, the two earls were prepared, with the view of restoring the old religion, to entertain much more dangerous schemes than their confederates in the Council. They applied, through the Spanish ambassador, to the Duke of Alva, to send over a body of troops from the Netherlands; they looked with confidence for a supply of money from the Vatican;[1] and on their return home they secretly communicated their designs to their numerous Catholic friends. Leonard Dacre, the male representative at this time of the "Dacre of the North," and a man of a restless intriguing spirit, heartily approved of the enterprise. Egremont Ratcliffe, a brother of the Earl of Sussex, agreed to join them; and a number of the northern gentry—including the Nortons, Markenfields, Swynburnes, Tempests, and other families of note—were equally ready for a march to

[1] Gonzalez, Apuntamientos, 88.

Tutbury whenever the Duke of Norfolk should give the word.

But the duke had neither the ability, the courage, nor the inclination for an enterprise of this description. Although ambition had tempted him to seek the hand of the Queen of Scots, there is no proof that at this period of his career he meditated any treason against Elizabeth; nor can we believe that as a Protestant, and supported in his scheme by the leading Protestant nobility, he could have approved of the design of the northern lords to bring a Spanish force into England. While he was only seeking to marry the next heir of the crown with the consent of his sovereign, his confederates aimed at a revolution both political and religious; and to the want of concord between him and them on a point so essential to success Elizabeth was eventually indebted for her safety.

While Norfolk was in the Tower, and his best friends were in disgrace, Elizabeth applied to the regent for any evidence in his possession respecting the projects of the duke; and to retain the favour of the English queen, Murray at once, with characteristic baseness, betrayed the confidence of the man who had assured him a few months before that "his life was in his hands." Murray not only disclosed all[1] that had passed between him and the duke at Hampton Court,

[1] On the 13th October Elizabeth wrote to Murray desiring him to send up any proofs against the duke respecting the marriage; and she adds, "The more evident the proofs shall be, the better shall we allow of you and your actions."—In Cecil's hand; Record Office. On the 22d of October Murray replies from Hawick, that no diligence shall be wanting on his part to procure the desired information. On the 29th he sends up his narrative and the letter of the Duke of Norfolk of 31st July, afterwards produced at the trial.—Record Office.

but he delivered up a letter which he had received from Norfolk some time afterwards, which clearly disclosed his intention of marrying the Scottish queen, and which abounded in expressions of goodwill to the regent. Mr Froude[1] points confidently to this letter as "a singular tribute to the good faith with which Murray was acting and had acted throughout."

From these expressions Mr Froude would lead his readers to conclude not only that Murray had acted a most honourable part throughout, but that the loyalty of his conduct had been expressly and gratefully acknowledged by the duke. Yet we find that on the trial of the Duke of Norfolk, some fifteen months[2] afterwards, this very letter was produced as evidence against him, and before it was read he exclaimed, "The Earl Murray sought my life."[3] Mr Froude, who describes at considerable length the trial of Norfolk,[4] is not only silent as to this damning fact, but he does not even so much as mention Murray's name in connection with that event; and he thus leaves his readers under the impression that from first to last the conduct of his immaculate hero to the duke was irreproachable.[5]

Norfolk appears to have clearly foreseen that any premature movement on the part of the northern lords would prove fatal both to them and to himself.[6] But the hopes of the English Catholics were at this time

[1] Vol. ix. 460.
[2] In January 1571.
[3] State Trials, i. 985.
[4] Vol. x. 322.
[5] Even Maitland peremptorily refused to betray the duke's confidence, although urged by Elizabeth and Murray to do so. "He has flatly denied to me to being in any sort the accuser of the Duke of Norfolk."—Murray to Cecil; Chalmers, ii. 483.
[6] See the evidence of Richard Cavendish on the duke's trial.

extremely high. They looked with the utmost confidence for help from Spain; and in the month of October another great royalist victory at Moncontour, where Coligni was totally defeated by the Duke of Anjou, encouraged the belief that in France the Huguenot rebellion was drawing to a close. Throughout Northumberland, Durham, and a great part of Yorkshire, secret preparations had been going on for some time, and in the beginning of November the leaders found that they could no longer recede with safety. Joining their forces, which consisted, apparently, of from 6000 to 8000 men, the two earls advanced rapidly upon Durham, which they entered without opposition on the 14th of that month. In the proclamations which they issued, they declared that they had taken up arms against the oppressors of the ancient nobility and of the true religion; but no allusion was made to the Queen of Scots, whose unjustifiable captivity furnished the immediate motive for the rebellion, and whose title to the English crown it was the undoubted object of the insurgent lords to assert.[1]

From their conduct in this emergency it would appear that Cecil and his mistress were better skilled in stirring up insurrections abroad than in putting them down at home. Sussex was in command at York, but the force at his disposal was so far inferior in numbers to the rebel army that he could not venture to act on the offensive. Instead, however, of sending northwards without loss of time every available man, the queen, to save expense, despatched the Earl of Rutland, a boy of thirteen, to call out his

[1] See Sir Cuthbert Sharpe's Memorials of the Northern Rebellion.

tenantry in the midland counties. Sir Ralph Sadler, who accompanied him, was instructed by Cecil, who had taken to his bed on the occasion, to be "tender and careful" with the young commander, and especially to admonish him if he was "negligent of resort to common prayer."[1] But Elizabeth had a kinsman in the north who, fortunately for her, could both advise and act in the face of danger. Lord Hunsdon, whose sterling qualities were never sufficiently appreciated by his jealous cousin, wrote in the most urgent terms that the Queen of Scots must be instantly moved from Tutbury.[2] His advice was followed, and she was hurried off under a strong escort to Coventry. The insurgents, a body of whom were by this time within a day's ride of Tutbury,[3] came to a sudden halt on learning this unwelcome news. The removal of the Scottish queen proved, in fact, a fatal blow to the rebellion. Disappointed in their hopes of effecting her release, the leaders determined to retrace their steps, and in their situation retreat was ruin. They had seized upon Hartlepool with the intention of opening up a communication with the Netherlands; and they made themselves masters of Barnard Castle on their march northwards. But by this time the Council was fairly alarmed. The queen at length consented that the levies of the southern counties should be called out; and the Earl of Warwick and the Lord

[1] Cecil to Sadler, "From Windsor in my bed," 20th November; Sadler, ii. 34.

[2] "For God's sake let her not remain where she is, for their greatest force are horsemen."—Hunsdon to Cecil, 20th November; Border MSS.

[3] It had been determined that Northumberland, Lord Wharton, and two of the Lowthers should advance with a strong body of horse and carry off the Scottish queen.—Border MSS.

Admiral were appointed to lead them against the rebels. Threatened thus in front, while Sussex and Hunsdon were daily gathering recruits at York, the insurgent chiefs did not venture to risk an engagement, but on the approach of the queen's forces from the south, made the best of their way to Scotland.

This unfortunate rebellion proved disastrous alike to its authors and to her whose wrongs it was undertaken to redress. Few Englishmen could regard with satisfaction the prospect of a Spanish invasion; and while the negotiations of the insurgent leaders with the butcher of the Netherlands prevented many of the Catholics from joining their ranks, the Protestants of every class were united in their detestation of the treason meditated by their enemies. It was not without truth that Cecil could boast at this time that his mistress had been supported by her subjects "of all sorts without respect of religion;"[1] and although we have every reason to believe that Mary, like Norfolk, strongly disapproved of the rebellion, it enabled her enemies to assert that she was ever ready to engage in the most desperate schemes for the restoration of her religion and the ruin of her rival.

On their arrival in Scotland, Westmoreland and his attendants, after some strange adventures among the outlaws of the debatable land, were hospitably received by the Laird of Fernihirst, near Jedburgh. Northumberland was less fortunate. He became the guest of Hector Armstrong of Harlaw, in Liddesdale; and the

[1] Cecil to Norris; Cabala, 180. The Earl of Cumberland, with the Earl of Derby and his sons, were expected to join in the rebellion; but they, as well as other noblemen, drew back, very probably in consequence of the dealing of the leaders with foreign powers.

scoundrel, whose infamy has been immortalised in Border song, betrayed him for a sum of money to the regent. Elizabeth was eager to obtain possession of the great northern earl, and Murray would gladly have complied with her request, but to deliver up a fugitive to certain death was a crime which even the thieves of Liddesdale regarded with horror; and the regent, finding that he dared not outrage the universal feeling of the country,[1] confined his noble prisoner in Lochleven. Soon afterwards the regent summoned Fernihirst to give up his guest, but the Border chief treated the message with defiance and contempt; and such was the strong feeling in favour of the English fugitives, that Murray did not dare to risk an attack on the stronghold of the Kerrs.

In this rebellion no blood was shed except upon the scaffold. But although the insurgents had never ventured to meet the queen's forces in the field, Elizabeth, either through policy or panic, was impatient to inflict the most signal retribution on the disturbers of the peace. The granddaughter of Henry VII. and the daughter of Henry VIII. exhibited on this occasion all the rapacity of the one and all the remorseless spirit of the other. Her orders were, that such of the rebels as possessed lands should be reserved for trial, that upon their conviction for treason their estates might be forfeited to the Crown; but that "those who had no freeholds, copyholds, nor any substance of lands, were to be immediately hanged

[1] No one spoke more loudly against the proposed surrender than Morton, yet it was he himself who afterwards gave up Northumberland for a large bribe.—Hunsdon to Cecil, 11th January; Record Office.

by martial law." She further ordered that "the bodies were not to be removed, but to remain till they fell to pieces where they hung."[1] She scolded Sussex because at York the work of the executioner did not keep pace with her thirst of vengeance; and as the loyalty of that nobleman was suspected, in consequence of his brother's share in the rebellion, he was induced to obey her murderous orders to the letter. During the succession of rebellions which occurred in Scotland in the reign of Mary, only three persons perished on the scaffold.[2] On the present occasion there were three hundred executions in the county of Durham alone,[3] and it was not the fault of Elizabeth that the adjoining counties did not suffer in proportion. But the High Sheriff of Yorkshire had the courage to represent to his mistress that "many places would be left naked of inhabitants" if he continued to obey her orders.[4] The Bishop of Durham had a month before addressed a remonstrance to the queen of a similar kind, but without effect.[5]

The leading rebels were in the mean time beyond

[1] Record Office, notes by Cecil.

[2] These were, Sir John Gordon at Aberdeen in 1562, and two persons for the murder of Riccio in 1566.

[3] Memorials of the Northern Rebellion, by Sir C. Sharpe, 140.

[4] Sir T. Gargrave to Cecil, 6th February; Border MSS. We learn from Fénélon that the Earl of Warwick, who commanded in Northumberland, also interceded with the queen on behalf of the rebels. After describing the severities of Sussex, the French ambassador says: "Au contraire le Comte de Varwick, s'y porte fort modestment, lequel a envoyé supplier la royne d'octroyer remission à ces pouvres gens."—Vol. iii. 22.

[5] Sadler, ii. 95. Sussex estimated the total number of executions to be "six or seven hundred at the least of the common sort, besides the prisoners taken in the field."—Sharpe, Memorials, 121. The Bishop of Ross estimates the total number at eight hundred, which does not appear to be exaggerated.—See his Negotiations, in Anderson, iii.

her reach. She had expected, or pretended to expect, that Murray would at once surrender them; but Northumberland alone was in his power, and to give him up to certain death was a step upon which, in the excited state of feeling in Scotland, he dared not venture. Under these circumstances, an attempt was made by Cecil and his colleagues to attain the object on which their mistress had set her heart by other means. A cousin of Westmoreland, named Robert Constable, was induced to play the part of traitor to his countrymen. This man repaired to Fernihirst as the pretended friend of the earl and his followers, and strongly advised them to return to England and trust to the queen's clemency. He attempted, to use his own words, "to trap them that trust in me, as Judas did Christ."[1] Westmoreland and his friends entertained not the slightest doubt of his fidelity, and they inquired if he could provide them guides. Constable replied that he could give them two Border outlaws who would rob anything or anybody, "but would not betray any man that trusts them for all the gold in Scotland or France." The contrast between the morality of these humble brigands and that of the well-born traitor who described it, must, if he was not dead to all sense of shame, have filled him with at least a momentary consciousness of humiliation. But no suspicion crossed the minds of the fugitives, and he left them in the belief that they would speedily follow

[1] Sadler, ii. 114. It appears from Constable's letter that the fugitives were received into various houses along the Border. Westmoreland was at Fernihirst. At Branksome, with the Laird of Buccleuch, there were Egremont Ratcliffe, Sir John Nevill, Swynburne, and Markenfield. The Nortons were guests of Douglas of Cavers; others were with Lord Hume, &c.

his advice. To that effect he wrote to Sir Ralph Sadler. His letter was sent to Elizabeth, and through Cecil the spy was promised a large reward if he succeeded in enticing the rebels to his house in Yorkshire, or to some other place in England; "and for the better covering and colour of the enterprise," says Sadler in his instructions, "it is thought good that the matter be so handled *as you also may be taken with them, and be outwardly charged* as an offender with them against her majesty. If you can work this matter to effect, you shall win favour and liberal rewards at her majesty's hands."[1] If he fails to induce his friends to return to England, he is then to try if he cannot, by means of bribes judiciously administered in Scotland, obtain possession of them; but before concluding any bargain he is to communicate with Sadler, and the better terms he can make the larger will be his reward. Elizabeth was eager beyond measure to make prisoners of the rebel leaders, that she might try them for treason and confiscate their estates; but parsimonious in the price she paid even for blood, she wanted to obtain them at as cheap a rate as possible. Fortunately for all concerned, the English fugitives eventually declined the perfidious advice of their countryman; and from what he saw in Scotland, he did not venture, as Sadler had suggested, to try and find a second Hector Armstrong. Constable had had an opportunity of witnessing under peculiar circumstances the strong feeling of the country with respect to the surrender of the fugitives. In order to disarm suspicion, he spent a night at Jedburgh at a house which was the resort of the most

[1] Sadler, ii. 143.

desperate characters on the Border. They were drinking and gambling, and the spy sat down and joined them. A notion, it appears, had got abroad at this time that the regent intended to give up Northumberland in exchange for the Scottish queen, and the project was denounced by the whole company in terms the most emphatic. They declared that if the regent made any such attempt, "the Borderers would start up and rive both the queen and the lords from him, for the like shame was never done in Scotland; and that he durst better eat his own luggs than come again to Fernihirst; if he did, he should be focht with ere he crossed Soutra edge.[1] As for Hector of Harlaw, they wished they had his head, that it might be eaten for supper." The spy could not have listened to the discourse of that lawless company without a profound, and a very uncomfortable conviction, that if they had known, or even suspected, his true character, he would have speedily met at their hands the only kind of justice that was proverbially known in Jedburgh.

Amid the monotonous scenes of violence and treachery which followed the suppression of the rebellion, the chivalrous spirit displayed by the Borderers, and their hearty determination to protect their unexpected guests against all comers, stand out in pleasing relief. Constable appears to have heard wit surprise the strong suspicions expressed as to the intentions of the regent, but they were speedily confirmed. The position of Murray was in fact more insecure at this time than at any period since his elevation. In addition to the desertion of so many of his friends, he was well aware that the Hamiltons, as well

[1] A high hill on the road between Edinburgh and Jedburgh.

as Huntly and Argyll, were prepared on the first opportunity to turn against him; and the significant fact that the Laird of Fernihirst openly set his authority at defiance, was a sufficient proof that he had lost much of that influence over his countrymen which he at one time undoubtedly possessed. Morton, Ruthven, Lindsay, and a few of his old partisans, still stood by him; but none of these men could supply the place of the friends he had lost, and he clearly saw that without extraneous aid he could not hold his ground. There was but one quarter to which he could look for help, and he turned to his old but fickle friend the Queen of England with an earnestness which sufficiently betrayed his sense of the perils by which he was beset.

On the 2d of January a remarkable letter was addressed by Knox to Cecil, in which he warns the secretary that "if ye strike not at the root, the branches that appear to be broken will bud again, and that more quickly than men can believe, with greater force than we could wish."[1] On the same day the regent also addressed a letter to Cecil, informing him that Nicolas Elphinstone was about to proceed to London with certain important instructions to be laid before the queen. The nature of these we only know at second hand, for, unlike his confederate Cecil, the regent was not in the habit of committing his secrets to paper.

From Cecil's notes we learn that the first point to which the regent called his attention was the service he had rendered in making a prisoner of Northumber-

[1] Record Office. The letter is signed "John Knox, with his one foote in the grave."

land. Upon hearing that the earl was in Liddesdale, Murray says that he marched an army to Peebles, and paid a reward for the delivery of the fugitive. After he was given up, an attempt was made to rescue him by a number of Scots and some Englishmen of the west Border, who killed one of the regent's captains and wounded various of his soldiers. The regent adds that he is using all diligence to apprehend the rest of the rebels.

He then recounts at length the events of the last two years—namely, the deposition of his sister, her imprisonment, and her flight to England, where she had been sowing sedition, pretending title to the crown, and seeking a marriage with the Duke of Norfolk.[1] That her friends in Scotland, the Hamiltons, Huntly, and Argyll, would ever be hostile to the party of the young king; and that he had now to sustain the government "almost alone:" if, therefore, he was to continue in alliance with the Queen of England, he must have a sum of £2000 yearly, in addition to a supply of arms and ammunition. Lastly, he "remembereth to the queen's majesty the head of all these troubles to be at her commission; he also admonisheth her that this late rebellion is not now ended, but that it hath more dangerous branches, and if now it be not remedied, the fault will be in her majesty."[2]

The latter sentiment agrees so entirely with that of Knox, that, bearing in mind that he and the regent both addressed Cecil on the same day, we cannot doubt that they wrote with a common purpose, and

[1] It was not a twelvemonth before that Murray had expressed himself to the duke as strongly in favour of the marriage.

[2] Notes in Cecil's hand; Record Office.

that the source of danger to which both pointed was the Queen of Scots.

Nor can there be any doubt that the real object of the mission of Elphinstone was to obtain the surrender of the Scottish queen,[1] and that the scheme which Constable had heard so fiercely denounced by the men of Teviotdale was at the very time under the consideration of Elizabeth.[2] Upon what terms the surrender was to be made we do not know; but we know that after some deliberation and delay the proposals of the regent were accepted. On the 24th of January she addressed a letter to him, stating that she had determined to send down to Scotland "some trusty friend," who would explain her wishes; "and in such sort," she adds, "as you shall have very reasonable contentation and satisfaction as to the several matters thereof doth belong. And finding your servant desires to return, we would not detain him; but in the mean time we hope you will, according to our expectation, procure that our rebels remaining within that realm be apprehended and delivered, being such as manifestly are known as well to you and the States of Scotland as to us, to have, beside their high treason intended

[1] There is in the Record Office a paper entitled an "Instrument by the Earl of Murray," which represents the Queen of Scots as the source of constant danger to the kingdom; that the danger is increased by her remaining in England; "and that it is fit *that the Queen of England be moved to send her* back into Scotland," &c. The paper is without date, but preserved among the documents of December 1569. See also in Fénélon his letter of 15th January 1570, iii. 15; and Leslie's Negotiations, in Anderson, iii.

[2] Constable's letter is dated the 12th of January, by which time Elphinstone was in London. But the matter required serious consideration, and on the 18th Cecil writes to Sadler, "The regent's servant, Mr Elphinstone, is not answered, nor now shall not be until the next week at our coming to Hampton Court."—Sadler, ii. 139.

against us and our crown, purposed the alteration of the religion professed [1] and established in both realms." It clearly appears, therefore, that the surrender of the fugitives was an essential condition of the mysterious bargain that was about to be concluded. But before he learned that Elizabeth had listened with approval to his proposals, the regent [2] had gone to his account;

[1] Record Office, 24th January 1570. The "trusty friend" was Randolph, a very fit person for such an errand.

[2] He was killed at Linlithgow on the 23d of January, the day before her letter was written. It is difficult to understand the motives of the regent in desiring at this time so earnestly the surrender of the queen. Her presence in Scotland could not have failed to strengthen her partisans, who were already sufficiently formidable; and to put her to death was a desperate expedient, upon which, dependent on the Queen of England, as by his own confession he had become, he could hardly have ventured. But whatever may have been the real motives or intentions of Murray, we can have no difficulty in ascertaining those of Knox, who was clearly acting at this time in concert with the regent. The hostility of the Reformer to the queen seemed to acquire increased intensity with his increasing infirmities. A few months before he had bitterly complained that "foolish Scotland would not obey *the mouth of God* when He had delivered that vile adulteress and cruel murtherer of her own husband in their own hands, to have suffered as her iniquitie deserved."—Letter dated 19th August 1569; Works of Knox, by David Laing, vi. 566. In his letter to Cecil of the 2d January he exhorts him "to strike at the root;" and in his prayer on the occasion of Murray's death, a few weeks afterwards, he calls the queen "that wretched woman, the mother of all mischief;" and he adds, "O Lord, if Thy mercie prevent us not, we cannot escape just condemnation, for that Scotland hath spared and England hath maintained the life of that most wicked woman. Oppose Thy power, O Lord, to the pride of that cruel murtherer," &c.—Knox, Works, vi. 579. But we need not be surprised at this language when we know that he had prayed for her death long before any charge had been brought against her, except that of being a Catholic.

There is extant a remarkable letter of Sussex to Maitland on this subject, written about this time, from which we learn that the regent and his faction, during the conferences in England, had urged Elizabeth to put their queen to death. "This," says Sussex, "I know well, that if her majesty would have digested that which was openly delivered unto her by the general assent of *your whole company*, in

and it is more than probable that the bullet which cut short his career on the streets of Linlithgow prevented the consummation of even a darker deed than any that had yet disgraced the age.

In the Regent Murray we have an example of a man sincere in his religion and irreproachable in his private morals, who yet was goaded on by his ambition to the commission of the worst of crimes. It is easy, therefore, to understand that while his friends should have denominated him "the Good Regent," his enemies denounced him as a forger and a murderer. There were, indeed, substantial grounds for this wide difference of opinion. It must be admitted that he possessed great abilities, and that, although unscrupulous in the exercise of his power, he was neither cruel nor vindictive. Nor can it be denied that while the lives of Arran, Bothwell, Morton, and other of the Reforming nobles, strangely belied their professions, the household of the regent was a model of propriety. But the early part of his public career is open to much suspicion, and the latter part is deeply stained with crime. That he was the first to sign the bond for the murder

such sort as *you all desired*, and earnestly (I will not say passionately) persuaded her at that time to do for her own surety, the benefit of Scotland, and the continuing of the amity between both the realms, there had been worse done to your queen than either her majesty or any subject of England that I know whomsoever you take to be the least free from passions, could be induced to think meet to be done." —Sussex to Maitland, 29th July 1570; Record Office: quoted by Tytler, vi. 138. This letter opens up a new scene of villany. Both Maitland and Sussex knew all that had passed at the conferences, and it clearly appears that at the very time when the regent and his friends were seeking by means of their forged papers to destroy the reputation of their queen, they were secretly urging Elizabeth to take her life. When so many implacable enemies were bent on her destruction, the wonder is, not that Mary eventually fell a sacrifice, but that the catastrophe was so long delayed.

of Riccio is not disputed; that he signed the bond for the marriage of the queen with Bothwell, although he afterwards rebelled against her on that account, was believed even by his friend and confederate Cecil.[1] His subsequent conduct to his sister, his dealings with Elizabeth, and his base betrayal of the Duke of Norfolk, display throughout a nature essentially treacherous and sordid; and although he inherited, and could inherit, nothing,[2] his assiduous devotion to his private interests enabled him to accumulate, during his short career, wealth and possessions more ample than those of any nobleman in Scotland. It was to the bounty of his sister that he owed his worldly prosperity; and she discovered, shortly after his death, that he had betrayed her confidence in a matter which, after her experience of his conduct, ought hardly to have caused the surprise and annoyance she expressed. She ascertained that a number of her most valuable jewels were in the possession of his widow. Mary immediately wrote to her, and after expressing her sorrow for the death of her husband, "although he had so unnaturally and unthankfully offended us,"[3] she desired her "incontinent after the sight hereof" to hand over the royal jewels to her lieutenants, Huntly and Lord Seton. There was one diamond in particular, the finest she possessed, and called, from its former owner, "the Great Harry,"[4] which the queen was extremely

[1] *Ante*, 302, and Appendix K.

[2] Murray was born in 1531, and he was appointed Prior of St Andrews by his father when only seven years old. As to his subsequent acquisitions, see Chalmers, iii. 386.

[3] 28th March, from Tutbury; Robertson's Inventories, preface, 132.

[4] It had been a present from Mary's father-in-law, Henry of France, and she had bequeathed it, in her testamentary inventory, to the crown of Scotland.—See the Inventory, ibid.

anxious to recover; but the regent's widow, who possessed apparently all the acquisitiveness of her husband, not only refused to part with the gem, but she retained it in spite of all the efforts of Lennox, who succeeded Murray in the regency, and who desired, as he alleged, to obtain possession of it for his grandson.[1]

Another circumstance connected with the regent's death requires notice. Although Mary declared that she knew nothing of the plot against him, it is alleged that on the recommendation of the Archbishop of Glasgow she afterwards allowed a pension out of her French dowry to the assassin, who was a Hamilton and a kinsman of the duke. This is the only material charge against Mary which her enemies have verified,[2] and it is one which cannot be justified. But it is to be stated in extenuation that Bothwellhaugh had been utterly ruined through his loyalty to the queen. He had fought at Langside, and had been taken prisoner; and although his life had been spared, he had been stripped of everything he had in the world, including a small estate belonging to his wife,[3]

[1] Robertson's Inventories, *ubi supra*. It appears that, some time before, Murray had intended to sell the whole of his sister's jewels; but Mary, having heard of his purpose, represented the matter to Elizabeth, and she earnestly "advised the regent to forbear the sale or other disposal of the same, for otherwise it shall be judged that the ground and occasion of all your actions proceedeth of a mind to spoil her of her riches, and greatly to benefit yourself and your friends."—Record Office, 2d October 1568, Elizabeth to Murray. When, in the previous month of May, Elizabeth had bargained with the regent for Mary's pearls, and had obtained them far below their value, these considerations do not seem to have occurred to her.—*Ante*, 384. The sale of the pearls must have been kept a secret from Mary, for she does not refer to it in any of her letters.

[2] See Mary's letter; Labanoff, iii. 346.

[3] According to the contemporary author of the 'Historie of King

the loss of which, it is said, impelled him to take vengeance on the author of his ruin.

In his last letter to Cecil, the regent had warned him that the late rebellion was not yet ended, and the prediction was speedily fulfilled. No one had been more deep in the secrets of the rebel leaders than Leonard Dacre; but he remained in London during the insurrection, and although an object of strong distrust to Cecil, he succeeded by his insinuating address in lulling the suspicions of the queen. After his confederates had fled to Scotland, he returned to his Castle of Naworth; and in consequence of some discoveries that were made after he left London, Lord Scrope, the Warden at Carlisle, was ordered to arrest him.[1] Upon learning the intention of his enemies, Dacre resolved to strike a fresh blow for the Scottish queen. The influence of his name and family was hardly inferior to that of the two great Catholic lords who had headed the late rebellion, and he possessed talents far superior to either. Dacre had calculated his chances well before deciding on another struggle. He knew that throughout the northern counties there was an immense amount of disaffection among the gentry,[2] and he knew that the people were burning

James the Sext' (75), she was turned out of her house under circumstances of such extreme barbarity that she lost her reason. Her husband thereupon "was deliberat to putt his lyfe to fortoun, and avowit in divers oppin cumpanies to be avengit on the bastard regent, for these were his ordinar wordis," &c. The story as to the forfeiture of the wife's estate has, however, been denied, apparently on good grounds. —Burton, v. 236.

[1] "We find daily more matter against Leonard Dacre to charge him with high treason."—Cecil to Sadler, 18th January; Sadler, ii. 139.

[2] Sadler, writing a short time before from York, says: "There be not in all this country ten gentlemen that do favour and allow her majesty's proceedings in the cause of religion, and that the hearts of

with indignation at the barbarous treatment they had so recently received. In Scotland, Elizabeth had lost in the regent her best friend, and the whole of the Border country from east to west was ready to rise for Queen Mary. Lord Hunsdon, like Murray, had warned Cecil that the danger was not over, and he added that if the sore broke out afresh, he[1] feared it would be past all cure. The French ambassador[2] expressed himself in language equally strong; and when 3000 English and Scottish Borderers assembled with incredible rapidity under the well-known banner of the Dacres, Elizabeth, although she did not seem to know it, was never in her life in greater peril. Buccleuch and Fernihirst sent word to Naworth that they were ready to march with 5000 men, and Leonard Dacre was in active correspondence with the Catholics in the south of England. But the singular good fortune of the English queen once more prevailed. Lord Hunsdon saw at a glance that if Dacre was allowed to form a junction with his Scottish allies and their English guests, the northern counties must be lost. But he was just the man for the emergency. He had only under his command at the time about 1500 men; but they were mostly trained soldiers, and he resolved to surprise the rebel leader before he could communicate with his allies in the north. Moving rapidly from Hexham up the Tyne, he came suddenly upon Dacre's force on the little river Gelt, near Naworth. Being far superior in numbers,

the common people for the most part be with the rebels."—Sadler to Cecil; Sadler, ii. 55.

[1] Hunsdon to Cecil, 13th January; Record Office.

[2] Fénélon, iii. 35.

Dacre forthwith attacked the royal troops, and the first onslaught of the Border men proved all but irresistible. "It was," says Hunsdon, "the proudest charge I ever saw."[1] The fate of his mistress and of British Protestantism was trembling in the balance, while he thus eyed with honest admiration the prowess of his enemies; but the steady discipline of his veteran troops, who plied their firearms with deadly effect, at length prevailed, and won a complete, though by no means a bloodless, victory. Dacre himself made his escape with difficulty[2] from the field, and fled across the Border, which was but a few miles distant.

The enterprise and courage of Lord Hunsdon had nipped in the bud this dangerous rebellion, and it is pleasing to find that this brave soldier interceded successfully on behalf of the rebels who were taken or wounded in the fight. The disgraceful scenes which followed the suppression of the former insurrection were not repeated; and during the remainder of the long reign of Elizabeth the tranquillity of the northern counties was not again disturbed. To the philosophical student of history it is not a pleasing matter for reflection, that while the unexampled forbearance and humanity exhibited towards her rebellious subjects by Mary only encouraged them to fresh attacks upon her authority, the ruthless policy of her sister queen proved eventually successful.

[1] Hunsdon to Cecil, 20th February; Record Office.

[2] He was taken prisoner, but rescued by some Scots.—Hunsdon's letter, *ubi supra*.

APPENDIX.

APPENDIX A.

The EARL OF SUSSEX to SIR WILLIAM CECIL.—See Lodge, Illustrations of British History, i. 458.

UPON your request and promise made in your letters of the 16th, I will write to you fully what by any means I conceive in this great matter, although the greatness of the cause, in respect of the person whose it is, the inconstancy and subtleness of the people with whom we deal, and the little account made always of my simple judgment, give me good occasion of silence. And therefore (except it be to the queen's majesty, from whom I would not wish any thought of my heart to be hidden) I look for performance of your promise.

This matter must at length take end, either by finding the Scotch queen guilty of the crimes that are objected against her, or by some manner of composition with a show of saving her honour. The first, I think, will hardly be attempted, for two causes: the one, for that if her adverse party accuse her of the murder by producing of her letters, she will deny them, and accuse the most of them of manifest consent to the murder, hardly to be denied; so as, upon the trial on both sides, her proofs will judicially fall best out, as it is thought. The other, for that their young king is of tender and weak years and state of body; and if God should call him, and their queen were judicially defaced and dishonoured, and her son, in respect of her wickedness, admitted to the crown, Hamil-

ton, upon his death, should succeed; which, as Murray's faction utterly detest, so, after her public defamation, they dare not (to avoid Hamilton) receive her again for fear of revenge. And therefore, to avoid these great perils, they surely intend (so far as by any means I can discover) to labour a composition; wherein Lydington was a dealer here; hath by means dealt with the Scottish queen, and will also, I think, deal there; and to that end I believe you shall shortly hear of Melvil[1] there, who, I think, is the instrument between Murray, Lydington, and their queen, to work this composition; whereunto I think surely both parties do incline, although diversely affected for private respects.

The Earl of Murray and his faction work that their queen would now willingly surrender to her son, after the example of Navarre, and procure the confirming of the regency in Murray; and therewith admit Hamilton and his faction to place of council according to their states; and to remain in England herself, with her dowry of France, whereunto I think they would also add a portion out of Scotland. And if she would agree to this, I think they would not only forbear to touch her in honour, but also deliver to her all matters that they have to charge her, and denounce her clear by Parliament; and therewith put her in hope, not only to receive her again to her royal estate if her son die, but also, upon some proof of the forgetting of her displeasure, to procure in short time that she may be restored in her son's life, and he to give place to her for her life; and if she will not surrender, it is thought Murray will allow of her restitution and abode in England, so as he may continue regent. The Hamiltons seek that the young king's authority should be disannulled; the hurts done on either side recompensed; and the queen restored to her crown, and to remain in Scotland. And yet, in respect of her misgovernment, they are contented that she should be governed by a council of the nobility of that realm, to be appointed here; in which council there should be no superior in authority or place appointed, but that every nobleman should hold his place according to his state; and that the queen's majesty should compound all differences

[1] Sir Robert, brother of the author of the Memoirs.

from time to time amongst them. And, to avoid difference and peril, their queen should have certain houses of no force, and a portion to maintain her estate. And the castles of Edinburgh, Stirling, and Dunbar, and other principal forts of the realm, to be delivered into the hands of upright noblemen that leaned to no faction; to be sworn to hold them in sort to be prescribed; and that the whole nobility of Scotland should swear amity, and should testify the same under their hands and seals. And that the queen's majesty should take assurance for performance; and have the bringing up of the young prince in England, by nobility of England or Scotland, at her appointment. And so as this might take effect, I think they might easily be induced to consent their queen should also remain in England, and have her dowry of France, and a portion out of Scotland, to maintain her state and her son's, in places to be appointed by the queen's majesty.

Thus do you see how these two factions, for their private causes, toss between them the crown and public affairs of Scotland, and how near they are to agree if their private causes were not; and care neither for the mother nor the child (as I think before God), but to serve their own turns. Neither will Murray like of any order whereby he should not be regent styled; nor Hamilton of any order whereby he should not be as great, or greater, in government than Murray. So as the government is presently the matter, whatsoever they say was heretofore the cause; and therefore it will be good that we forget not our part in this tragedy.

The opinion for the title to the crown, after the death of their queen and her son, is diversely carried, as the parties are affected to these two factions. The Hamiltons affirm that the Duke of Chatelherault to be the next heir by the laws. The other faction say that the young king, by his coronation and mother's surrender, is rightfully invested of the crown of Scotland; whereby his next heir in blood is, by the laws, next heir also to the crown; and thereby the duke avoided. The fear of this device makes Hamilton to withstand the king's title for the surety of his own, and the regency of Murray in respect of his claim to be governor, as next heir to the crown; for which causes it is likely Hamilton will hardly yield to the

one or the other; and yet James Macgill, an assured man to Morton, talks with me secretly of this matter, and (defending the right of the Earl of Lenox's son, as next heir in blood to the young king) confessed to me that he thought, because it came by the mother, it must return, by the law, to the mother's side, which was Hamilton; but it would put many men on horseback before it were performed; whereby you may see what leadeth in Scotland. There is some secret envy between Lydington and Macgill; and, as I think, if they agree not by the way, you will find Lydington wholly bent to composition, and Macgill, of himself, otherwise inclined. If the queen's majesty would assure their defence, you may deal with them both as you see cause.

Thus far of that I have gathered by them; wherein, if they do not alter, I am sure I do not err. And now, touching my opinion of the matter (not by way of advice, but as imparting to you what I conceive), I think surely no end can be made good for England except the person of the Scotch queen be detained, by one means or other, in England. Of the two ends before written, I think the first to be best in all respects for the queen's majesty, if Murray will produce such matter as the queen's majesty may, by virtue of her superiority over Scotland, find judicially the Scotch queen guilty of the murder of her husband, and therewith detain her in England at the charges of Scotland, and allow of the crowning of the young king, and regency of Murray. Whereunto, if Hamilton will submit himself, it were well done, for avoiding his dependency upon France, to receive him, with provision for indemnity of his title; and if he will not, then to assist Murray to prosecute him and his adherents by confiscation, &c. If this will not fall out sufficiently (as I doubt it will not) to determine judicially, if she denies her letters; then surely I think it best to proceed by composition, without show of any meaning to proceed to trial; and herein as it shall be the surest way for the queen's majesty to procure the Scotch queen to surrender, &c., if that may be brought to pass, so, if she will by no means be induced to surrender, and will not end except she may be in some degree restored, then I think it fit to consider therein these matters following:—

First, To provide for her and her son to remain in England at the charges of Scotland.

Secondly, To maintain in strength and authority Murray's faction, as much as may be, so as they oppress not unjustly Hamilton.

Thirdly, To compound the causes between Murray and Hamilton, and their adherents; and to provide for Hamilton's indemnity in the matter of the title, to avoid his dependency on France.

Fourthly, That the queen's majesty order all differences that shall arise in Scotland; and to that end have security of both sides.

Fifthly, If Hamilton will wilfully dissent from order, it is better to assist Murray in the prosecuting of Hamilton by confiscation, although he fly therefore to France, than to put Murray anyways in peril of weakening.

And, lastly, To foresee that these Scots on both sides pack not together, so as to unwarp (under colour of this composition) their mistress out of all present slanders, purge her openly, show themselves satisfied with her abode here, and, within short time after, either by reconcilement or the death of the child, join together to demand of the queen the delivery home of their queen to govern her own realm, she also making the like request; and then the queen, having no just cause to detain her, be bound in honour to return her into her realm, and for matters that in this time shall pass, have her a mortal enemy for ever after. And thus, ceasing to trouble you any further, I wish to you as to myself.

From York, the 22d October 1568.—Yours most assured,

T. Sussex.

APPENDIX B.

The BOOK OF ARTICLES presented to the COMMISSIONERS of QUEEN ELIZABETH at Westminster by the EARL OF MURRAY on the 6th of December 1568.

(*From the Hopetoun MS., the property of the Earl of Hopetoun.*)

Articles contenying certane coniectouris presumptionis likliehoodis and circumstances, be the quhilkis it sall euidentlie appeare That as James sumtyme erle boithuile wes the cheif executour of the horrible and vnworthy murther perpetrat in the persoun of vmquhile king henry of gude memory father to our said souerane lord, and the quenis lauchfull husband Sa wes she of the foirknawlege counsell devise persuader and commander of the said murther to be done and mantenar fortefear of the executoures thereof diuidit in five partes.

The first part contenis the alteratioun of the said quenis affectioun fra vmquhile king henrie our souerane lordes father hir lauchfull husband of gude memory In converting hir ardent lufe towardis him in extreme disdayn and deidlie hatrent.

The secund part contenis the said quenis inordinat affectioun borne to James sumtyme erle boithuile in the liftyme of the king hir husband zea baith before and efter his murther.

The thrid part contenis the conspiracy devise and executioun of the said vmquhile king henryes horrible murther be the said quene his wiff and boithuile.

The fourt part contenis the sequele of the said murther fra the committing thairof to the accompleshyng of the pretendit and vnlawfull mariage betuix the said quene and boithuile.

The fyft and last part contenis how be occasioun of the pvnishement of the said murther neglected The noblemen and others gude subiectis tuke armes and detenit and sequestrat the said quenis persoun for a tyme and of thair procedingis thaireftir.

The first part contenyng the alteratioun of the quenis mynd and affectioun fra vmquhile the king our soucrane Lordes father hir lauchfull husband be converting hir ardent luif towardes him in extreme disdayn in deidlie hatrent.

Efter hir vehement luif borne towardes the king quhairvpoun followit the mariage solemnizat betuix thame the xxix day of Julij 1565, she suddanlie alterit the same about november nixt thaireftir, for she removit and secludit him fra the counsale and knawlege of all counsale affairis, quhairby it apperit the luif lasted not aboue thre monethis betuix thame.

About the begynnyng of Januar in the same zeir a new cunze of syluer wes diuisit to be sett furth, quhairon baith thair faces wes ordanit to be imprentit and in the circumscriptioun his name preferrit, as it wes in all letters and patentis continewalie efter there mariage and quhill his death, zit in euident takin of hir disdayne towardes him she causit the forme of that cunzie be suddanlie alterit and in the circumscriptioun placit first hir awin name as marie et henricus dei gratia Regina et Rex scotorum contrar the ordour of nature and observance of all princes in the like cais.

Continewing in hir disdayn she determinat to seclude him fra all knawlege of the publict effairis and to the end that be subscriving with hir (to quhilk honour she wilfullie accepted him) he suld not vnderstand quhat lettres past, she caused mak a printing Irne and vsed the same in all thingis in place of his subscriptioun.

Off all the noblemen then exilit she granted remissioun onely to the duke of Chastellerhault, knawin Inemy to the king hir husband his fader and haill hous, in his and thair dispite. And knawing the king had opponit him thairto gif he had bene maid previe to the same She causit signe the remissioun with the printing Irne as the kingis subscriptioun, vtterlie refusand the like fauour to the remanent noblemen of hir awin and the kingis surname and vtheris ancient freindis to the hous of lennox Notwithstanding the king hir husbandis ernest desire and speciall requeistis of the quenis Maiestie of england and king of france send to that effect.

Throw this hir disdayn continewit aganis the king hir hus-

band not onely schew she this speciall and extraordinar fauour to his knawin enemy Bot begouth to be rigorous and extreme to his freindis and kinsmen namelie to the erle of Mortoun chancellar of the realme fra quhome she causit the greit seill be takin The keiping quhairof propirlie belangeth to his office And put the same seill in the custody of vtheris aganis the lovable ordour and custume of the cuntre he haifand the office of chancellary and keping of the greit seill for his liftyme and having committit na offence that culd be impute to him.

Althocht the printing Irne of the kingis counterfut subscriptioun wes tint zit continewing in hir disdayne she wald not permit the king to subscriue lettres and signatures with hir passing in the names of thame baith Bot Inuentis a new devise And in place of his subscriptioun writt *Fiat* efter hir awin name for warrand to the signet and seales Secludand him thairby vtterlie fra the knawlege of the state of the realme.

This hir ruitit disdayn still continewing a little before hir deliuerance of hir byrth in Maij or Junij 1566 in making of hir later will and testament She named and appointed boithuile amangis vtheris to the tutele of hir birth and yssue and governament of the realm Incais of her deceis, and vnnaturaly secludit the father from all kind of cure and regiment ower his awin childe avancing boithuile aboue all vthers to be lieutenent generall, gif warres suld happin In the princes less aige. She disponit also her haill movables to vthers beside hir husband. And least reasoun suld haue owerthrawin this hir later will amangis the nobilitie eftir hir deceis, she caused thame gif thair solempnit aith for observance of the haill contentis thairof without inspectioun of ony thing contenit thairin.

Being deliuerit of hir byrth and thaireftir convalescit of hir infirmety The king hir husband suiting to be admittit to bed with hir wes reiected And she disdanyng him and fleing his cumpany suddantlie past out of the castell of Edinburgh be watter to alloway conducted with certane notorious pyratis Sic as william blacatar, edmond blacater Leonard Robertsoun Thomas Diksoun and thair felowis avowit men and dependers on boithuile To the greit admiratioun of all honest personis

Seing hir tak the sea without ony ane honest man to accumpany hir, quhilk william blacater thaireftir wes at the murther of the king hir husband and wes iustefeit to the deid for the same.

In alloway quhat wes the forme of hir behaviour anew persauit litle to thair contentatioun Seing it mair wantonlie then honestlie and far exceding the modestie requisite in sic a personaige. Alwayis the king hir husband hearing of hir suddane departing quicklie followit, and be streuiling come to Alloway Off purpose to attend vpoun hir according to his dewetie Bot at his cuming he nother ressauit gude countenance nor hertlie intertenyment of hir And scarslie had reposed him his servandis and horsses with meit quhen it behuvit him to depart Sa greit wes hir disdayne that she culd not suffer him remane in hir cumpany nor zit wald she declair ony glaid cheare in his presence.

Heireftir in September 1566 She ludgit in the chekkerhous in Edinburgh, and the king lying at streuiling thoght gude to assay agayne gif sche wald accept him to familiaritie, quhilk she hering purposelie fled out of the chekkerhous and past to the palace of halyrudehous, quhair the king cuming, he wes reiected and rebuked opinlie in presence of diuerse lordes then of hir previe counsale quhill he wes constrenit to return to streuiling. By the way out of corstorphin he wreit to hir lamentand his evill intreatment and fremit vsaige.

About the middes of october she lying extreme seke in Jedburgh, the king in haist come fra streuiling to visite hir, quhair of hir nor na vther he ressauit nother gude wordes nor gude countenance, nather meit drink nor ludging wes preparit or appoyntit for him Bot the quene in the extremitie of hir seknes continewit in hir disdayne In sic sort that nane of the lordes or officiaris there attending durst anys luke to him or do him reverence and humanitie. And specialie sche fearing that my lord erle of Murray now Regent suld schaw him that beneuolence to gif him his chalmer She sent my Lordes wiff spedelie to the chalmer, willing hir to counterfute hir self to be seik To the end the king suld not sute the ludging. Or in case he socht it my lady Murrayis seiknes mycht be a sufficient excuse quhy he suld not haue it. Swa compellit to bor-

row the Beschope of orknayis bed for that nicht, he returned agane to streuiling Being willit zea and commandit not to resort to Monsr. le counte de biran the king of frances ambassadour quhill the tyme of the babtisme that his apparell mycht be prepaired, fearing he suld haue discoverit his hard and vnnaturall intreatment Bot quhen all this difficulty wes maid to gett him ludging meit and drink for a nycht She wes sa cairfull for boithuile evin in the extremitie of her seiknes That she causit him be transportit fra his ludging in the toun quhilk was nathing inferiour to ony vther noble mannis aisiament and placit him in hir hous in the chalmer directlie under hir awin.

In the moneth of november 1566 she come to craigmillair. The king her husband not ceassing his affectionate lufe and fauour towardis hir come thider Offering him self as become the husband to the wiff. Bot quhen he had thair continewit a certane space, he nowther fand hir passioun and cholear mitigat nor be ony his gude behaviour culd procure her luifing countenance and permissioun to pas to bed with hir Bot partlie persaudit and partlie minassed to returne to Streuiling, as the place appointed for his exile and purgatory, he was willit as afore na wayis to haue intelligence or resort to the foreyne ambassadouris, quhill the tyme of the babtysme, vnder pretext and colour that his garmentis wer not prepairit.

Quhen in december the appointed tyme of the babtysme approchit, the quene past to streuiling agane whilk solempnitie she prepaired and gaif to boithuile out of hir awin coffers and coft be hir proper money diuerse riche habulzeamentis, at the devise and fassoning quhairof hir self wes Mr of work, And tuke nales cair to haue the samin decorit aboue the state of the remanent noblemen nor gif she had bene his bound servand. And on the vther part not onely wes the king her lauchfull husband left desolat without ony kind of preparatioun diuisit or maid for him to the aduancement of his honour in the time of sic a triumphe Bot he was propoislie restranit fra access to the foreyne ambassadouris and thay willit to forbeare societie with him being all day within the castell of streuiling As alswa the noblemen of scotland and sum officiaris that be hir awin appointment wer directed of

before to attend on his service at the tyme of the said babtysme wer inhibite aythe to accumpany him or schaw him gude visaige or courtesy.

This hir vnnaturall dealing in the sicht and audience of foreyin princess ambassadouris sa far deiectit him in curage That disperatlie he departit furth of streuiling to glasgow quhair his father than maid residence. Bot afore his departure to augment his greif in euident declaratioun of hir indurit disdayn, she causit hir Mr houshald and vthers hir officiaris Tak fra him all the plaitt and siluer veschell that wes appointed for him the tyme of there mariage and quhilk had bene occupyit for his vse and service continewalie thaireftir And in place thairof gart deliuer pewder platis and veschell, and causit the servandis appointed be hir ordour to await on him, leif his service and cumpany.

During this quhilk haill tyme, bot specialie eftir the deliuerie of hir byrth she sa procedit and continewit in hir disdayn that she culd not be content ony nobleman or gentleman or familiar servand of hir hous suld do honour to the king. hir husband vse familiaritie or cumpany with him or convoy him on the hie gait And gif ony did Incontinent she conceavet sic suspitioun of thame That thay taisted of hir evill will and bitter Indignatioun. And because hir cheif study and travell wes to retene him fra hir cumpany and furth of hir presence Sche committit him as it wer to ward first, during hir keping bed in dalkeith eftir hir byrth And thaireftir in streuiling continewaly quhill the babtysme, fra quhilkis places quhen sumtyme he repairit towartis hir as particularly is before expressit, she dischargit hir officiaris to furneis him ony kynd of expenssis Concluding he suld haue nathing bot in the rowme quhair she willit him to abyd and remane. Quhilk deiectioun and solitar state Joynit with his povertie and necessitie of neidfull thingis, may be compted not onelie exile and fremmit banyshement from the court Bot als a strait and miserable ward to ane personage of his byrth aige and calling In all this tyme boithuile governit baith the court and publict effaires Sa that without his moyen na noblemen or vther subiect had place of fre speiche with the quene, or credite or exped the leist sute they culd mak.

The secund parte concernyng the said quenis inordinat affectioun borne to James sumtyme erle boithuile in the liftyme of the king hir husband, baith before and eftir his murthure.

As hir disdayne begouth aganis the king her lauchfull husband quhome be godis ordinance she aucht to haue preferrit in honour and governament before all vtheris She promovit boithule to the office of lieutenant generall ower all the bordouris And maid him generall of hir men of weir Causand thair captaynis of futemen to gif thair aith to him and mak thair haill dependence vpoun him.

Quhairas na prouision wes deuisit for the support and sustentatioun of the king hir husbandis honorable estait (a sober pensioun furth of the bishoprik of Ross except) she gratefeit boithuile with the rentis of the abbayis of melross hadingtoun and northberwik with promise of the abbay of scone, how sone the same sall vaik and becum in hir handis be consent of the dimissioner or deceis of the possessor thairof his kinsman.

In Marche j^{m} v^{c} thre scoir five zeris She gaif and disponit heritablie to Boithuile The landis and lordschip of Dumbar with the heritable keping thairof quhilk than wes deliuerit In his handis with the haill polder and ane great part of the mvnitioun of the Realme of Scotland The same landis and lordschip being of the proper patrimony annext to the Croun and specialie assignit to the sustentatioun of hir hous.

In September the zeir of god j^{m} v^{c} thre scoir sex zeris She being at Maister Johnne balfouris hous in the cannonegait and the chekkerhous within Edinburgh Boithwell had continewall access to hir baith nycht and day, quhen as the king hir husband wes fremmitlie removit and secludit from hir societie not sufferit to remane with hir ane houre. Hir behaviour in the said Chekkerhous furthschew how at that tyme sche abvsit hir body with him, he resorting through Maister David chalmeris ludging quhair she lay convoyit to hir be the lady Rires Moyen quhilk hir self hes confessit to diuerse And specialie he breking the appointed tryst at ane tyme And she impatient of his tary and delay, send the said Lady Rires to his chalmer for him Quhilk lady passing ower the dyke at

the nearest Tuik him out of the bed fra his wiff and brocht him to the Quene.

In october following The zeir of god j^{m} v^{c} thre scoir sex zeirs Being in Borthuik As she wes Intendit to pas to Jedburgh She hard of boithuillis hurting to the death in Liddisdale, quhairat she wes sa astunysed That vtterand her Inordinat affectioun She departed in haist first to Melross syne to Jedburgh nevir taking kyndlie rest quhill she come to the armitaige in liddisdaill, and saw him, without respect of the Intemperance of the wether and tempestuus air The lenth and difficulty of the way Or the danger of hir persoun amangis the handis of notorious theifis and traitouris. Throw quhilk excess returnyng to Jedburgh, she fell in ane havie and grevous seiknes, quhairin to all manis apperance she wes deid, And aduertisement thairof past be poist in france.

Quhat Inordinat cair she tuik to prepair all thingis for his transporting fra the armitage to Jedburgh and for his easement thair, bot cheiflie how befoir he wes convalescit of his hurtis She causit him be transportit furth of the Ludging appoynted for him and be placit within hir hous directlie vnder hir awin chalmer, quhair she spairit not to visie him evin before hir convalescing, and how familiarly they had cumpany togidder at that tyme in very suspitious maner Thay that wer present persauit, and the warld in thay same dayis begouth to speik of it Compairing boithuillis Intertenyment with that quhilk the king hir husband ressauit at hir handis quhen he come fra streuiling to visite hir.

Fra Jedburgh as she Jornait throw the Merss the nycht she lay in coldinghame The lady Rires wes intercepted cumand throw the watche quha was in cumpany with hir and quhair she intendit to pas, they knew weill that met with hir And the propois wes not altogether unknawin to sic as at that tyme attendit in the quenis cumpany.

At the baptisme of the king now oure souerane lord and before the samin It wes mervelous to behald the quenis cair and solicitude taken for preparatioun of apparell and riche garmentis to Boithuile, of hir awin stuff be hir awin devise and commanding of the craftismen, quhen as na kynd of thing wes appointed for the king in apparell furniture or vtherwise

Bot he fremmitlie sequestrat fra all societie of the foreyne ambassadors being all within streuiling castell at on[es].

The tyme of the said baptysme she causit begin to mak a passaige betuix hir chalmer in the new work or palace within the castell of streuiling and the great hall thairof Thinking to haue had access at all tymes be that meane to Boithuile, quhome purpoislie she causit be ludgit at the north end of the said greit hall, as evidentlie apperit to all that were present for the tyme, and as the vnperfected work this day testifeis, quhilk wes left of be ressoun it culd not be endit and serve to thair commoditie, for that thay departed furth of streuiling before it culd be perfect.

The same tyme becaus syndre gentlemen of the lenox and vtheris the kingis freindis resortit to streuiling during the solempnytie of the baptysme Boithuile tuik sic feare that he causit xii or xiiii servandis ly round about his bed in armes, and she movit be the gruge of hir gyltie conscience consaving the like feare and suspitioun for the said erle commandit gilbert balfour hir Mr houshald for the tyme to bring within the castell fiftie harquebusies for boithuillis gaird, quhilkis cuming to the castell zett; without knawlege of the erle of Mar capitane thairof he refusit to gif thame entre.

Quhen she vnderstude that the erle of Murray intendit to convoy the erle of bedfurde ambassadour for the Quenis Maiestie of england throw fyff to his hous at sanctandrois She willit the said erle of Murray to desire Boithuile to accumpany thame to Sanctandrois That it mycht appeare they wer guid freindis, quhilk according to hir desire my said erle of Murray now Regent did, and boithuile condiscendit, bot nather he nor the quene mynding sic thing Thay departit togidder towart Drymmen the lord drummondis hous, abyding there five or sex dayis And fra that come to tullybardin. In quhat ordour they wer chalmerit during thair remaining in thay twa houssis mony fand fault with it that durst not reprove it. How lasciuius alsua thair behaviour was It wes verie strange to behald notwithstanding of the newis of the kingis grevous Infirmety, quha wes departed to glasgow and thair fallin in deidlie seiknes.

Returnyng to Streuiling and still continewing in hir inor-

dinat affectioun to boithuile, She thocht she culd not sufficiently persuade him of hir fauour without she deliuerit hir sone alswa in his handis as a plege thairof. And for that purpois she begoud to find fault with the princes ludging as lacking gude air, and in the extremitie of the cauld wynter causit him to be transportit out of the castell of streuiling to the palice of halyrudehous quhair he wes vnder the gard of boithuile and the suddartis quhilkis wer euir at his commandment, and specialie the tyme that the quene raid toward glasgow to convoy the king to Edinburgh.

Finalie this hir inordinat affectioun to Boithuile begynnyng as she enterit in dysdayne with the king hir husband Contineuit not onely to his murthure Bot the said boithuellis place credite and auctoritie wes in sic estimatioun with hir That onelie he had the mvnyment of all the publict effaires and without his knawlege nathing wes exped at the quenis handis. And fra september. 1566. he become sa familiar with hir baith nycht and day that at his pleasour he abusit hir body to the consummatioun of the king hir husbandis murthure, quha in all that tyme wes neuir permittit to remane paciently the space of xlviii houris togidder in hir cumpany Bot quhen he ingyrit him self to remane and attend vpoun hir according the husbandis dewtie, quha be excusis persuasionis or scharp minassings he wes compellit to retier to sic places as she appointed Boithuile in the meantyme remaning in cumpany with hir and vsand all thingis at his pleasoure.

Off the quhilkis disdayne and extreme hatrent consauit aganis hir husband, and inordinat affectioun borne to boithuile with quhome she abusit hir body in hir said husbandis liftyme in manner aboue expremit, Necessary followith the compassing and deliberatioun takin of his death and distructioun and consequentlie the executioun of his murthure.

The thrid part contenyng the conspiracy deuisit and executioun of the said kingis horrible murther be the Quene his wiff and Boithuile.

Eftir hir lang disdayn continewit aganis the king hir husband and Inordinat affectioun born to boithuile, Increscit hir indurit and deidlie hatrent aganis the king in sic sort

That she impacient langar to be abstractit fra abusing hir body in publict maner with boithuile At the occasioun of a lettre writing to hir be the king quhilk she ressauit being at kelso in hir progres as she returnit fra Jedburgh about the begynnyng of november. 1566. she burstit furth in direct wordis to my lord now Regent the erle of huntley and the secretar, sair gretand and tormentand hir selff miserablie as she wald haue fallin in hir seiknes and said without she war quyt of the king be ane meane or vther, she culd neuir haue a gude day in hir-lyff, And rather or she fallit thairin, To be the Instrument of hir awin death.

In the samin moneth at hir cuming to craigmillar quhair she reposit a quhile before hir passing to Streuiling for the baptysme, she renewit the same purpois quhilk she spak of before at kelso In the audience of the said erle of Murray now regent the erles of huntley ergile and the secretair proponing that the best way to be quyt of the king hir husband wes be diuorce, quhilk mycht easalie be brocht to pas throw the consanguinitie standing betuixt thame, the dispensatioun being abstracted, quhilk she causit be socht and brocht afoir purpoislie to that end Bot seing it anserit how that culd not be gudelie done, without hazard that the prince hir sone suld be declarit bastard, Sen nather the king hir husband nor she contractit that mariage as ignorant of the degres of consanguinitie quhairin thay stude, She vtterlie left that consait and opinioun of diuorce And evir from that day furth Imaginit and deuisit how to cut him away by death.

And first in the begynning of december. 1566. at hir cuming to streuiling for the baptysme, She causit the king hir husband remove furth of William bellis ludging to the castell, And thair placit him in ane obscuir and narrow rowme at na better estait nor a presoner, during all the tyme that the ambassadouris remanit thair to quhome he had neuir access, bot remanit coveritlie quhill his departing to glasgow, being all tyme seruit of his meit furth of the quenis kitchene be hir officiaris and servandis. Quhat he resauit thair god knawis Bot Immediatlie efter his departing out of streuiling before he had riddin half a myle, he fell in sa grevous and sa uncouth seiknes as he wes dispairit of his lyff Bot zit raid ford-

ward to glasgow And lay thair all the tyme thaireftir, quhill she drew him to Edinburgh. That it was poysoun that grèvit him apperit be the breking out of his body and mony vther circumstances quhilk alswa James abirnethy chyrurgian at the sycht of him playnelie jugeit and spak In this alswa apperit hir cruelty That she refusit to send hir medicinar or ypothicar to visite him.

Bot this his marvelous seiknes (in all mennis jugementis seamyng rather artificiall then naturall) wes zit owercum be zouthheid and nature And she hering of his convalescing Tuke propois with Boithuile in Edinburgh To pas to glasgow and bring the king to Edinburgh And she being at glasgow traveling to bring the king with hir She wrait to boithuile to see gif he mycht fynd out a mair secrete be medicine to cut him of nor that way quhilk betuix thame thay had conspyrit and deuisit of his distructioun before hir cuming from Edinburgh.

For it apperis weill thay had diuisit the fatall hous for him before she raid to glasgow, with whome past boithuile and the erle of huntley quhill she come to callander And thair remaning with hir a nycht they returnit to Edinburgh and she raid furthwart to glasgow. Bot boithuell at his cuming to Edinburgh ludgit in the toun, quhair custumably he vsit to ly at the abbay And rising in the morning tymous he past directlie to the kirk of feild, to visite and consider the hous prepairit for the king quhair he was fund be diuerse quhilks for sindre effairis socht him that morning And he was richt sair offendit that ony suld haue fund him thair And from glasgow be hir lettres and vtherwise, she held him continewaly in rememberance of the said hous.

Being in glasgow suddanely she alterit hir fraward countenance and disdayne lang continewit aganis hir husband In dissemblit reconsiliatioun and hertlie intertenyment And howbeit he was not throughlie convalescit and notwithstanding that he fearit his liff (as she hir self writtis) and wes myndit to pas furth of Scotland, zit vpoun hir promise and treasonable dealing, she entystit and perswadit him to cum to Edinburgh with hir quhair his death and distructioun wes concludit and eftir execute betuix hir and boithuile.

And in declaratioun that it was onelie hir craft and subtile persuasioun that drew him furth of glasgow As thay wer ryding furth the way by kilsyth she past afoir desyrand him to follow hir eftir in the litter Bot he evin than suspectand his liff, Said he wald returne to glasgow gif sche tareit not with him, And she not willing to spill the propois that wes sa far broght to pas [not] onely returnit to him bot lichtit and gaif him meit furth of hir awin handis.

Zit she had na will to pas in Edinburgh, quhill she knew assuredlie that the hous quhair the kingis ludging and all vther thingis neidfull for the murthure wer prepairit Quhairfore she remanit at linlythgow quhill hob ormistoun ane of the murtherars quha is condempnit thairfore come to hir declarand that boithuill wes returnit Edinburgh and had prepairit all thingis.

At hir cuming to Edinburgh she convoyit the king to the appoynted ludging Bot he of accident ryding a little afore hir lichtit in the kirkzard of the kirk of feild, and past directlie to the duik of chastellerhaultis ludging becaus it wes the maist gudelie hous he saw ewest the kirk, thinkand it thairfoir to be preparit for him. Bot the beschop of Sanctandrois purpoislie ludgit in it at that tyme onely to debar the king fra it, and the quene finding him standing at the zett of the duikis hous, desirit him and causit him cum to the vther vnworthy hous prepairit for his distructioun, quhilk was vnmeit in all respectis for ony honest man to luge in, situat in a solitar place at the outmest parte of the towne, ruynous waist and not inhabite be ony of a long tyme before, and subiect on all sydes to euident perrell, having foure seuerall intresses, at every ane quhairof his evilwillairis mycht easalie have access, ane of thame throw the townewall, ane other eistward toward the blak freir zaird, The thrid throw the chaiplanis chalmer, and the fourt the foir entre.

To the effect that the horrible murther thus conspirit mycht the mair easalie be done Thair wes double keyis maid of the haill durris of the said hous and deliuerit in the handis of Johnne of boltoun servand to boithuile quha wes ane of the cheif executoures of the murthure with his handis. Bot the keyis of the dur betuix the kingis chalmer and the hous

vnder it quhair the quene lay and quhair the pulder wes put in wer deliuerit to Archibald betoun and parice frenscheman the quenis awin cubicularis.

Bot to abuse the warld be apperance of that new reconsiliatioun betuix hir and [hir husb]and to the end the having of certane keyis of the ludging suld not be fund suspitious in hir servandis handis, she lay in the hous vnder the king, quhair also thaireftir the pulder wes placit, being ane vnmeit place for a prince to ludge in, twa nychtis viz. the wedinsday and fryday before his murther, quhilk wes than concludit to haue been execute on the fryday at nycht, bot zit stayit partlie becaus the preparationes wer not all ready and partlie in respect of ane other moyen, quhilk she practized vpoun settirday at eftirnone betuix the king and my lord of halyrudehous Thinking it mair semelie to haue hir husband cuttit of be sic an accident proceding in contentioun then be the pulder and raising of the hous.

For on settirday she spak the king anent sum communicatioun that had bene betuix him and the said lord Robert And the same denyit be him she brocht thame togidder in the kingis chalmer the same day at eftirnone And thair confronting thame neuir left to provoke the ane aganis the other quhill in hir awin presence fra wordes she causit thame offer straikis And in hir it stude not bot they had maid end of the mater evin thair, nathing caring quha suld be victour Bot thinking the ane being slane, the vthe suld schortlie follow, Juging the same the maist commodious moyen to colour the murther interprisit, quhilk in hir lettres to boithuill she termes oure effaires.

Vpoun the sonday at nycht she and boithuill soupit in Mr Johnne balfouris hous in the canongait quhair the beshop of Ilis maid banquet fra the quhilk boithuill past directlie to the laird of ormistonis chalmer aboue the bow in Edinburgh, and thair with the said laird hob ormistoun his father brother Johnne hepburne of bowtoun and Johnne hay younger of talo, devisit and concludit vpoun the convoying of the pulder towardes the kingis hous The quene past vp the way to that same hous and gaif the king all maner of Intertenement to colour the act, quhairof the executioun followit sa

neare for she said she wald ly thair all nycht: howbeit in the meanetyme Parice hir familiar servand in hir chalmer, was in the laich hous quhair she lay the nychtis preceding and oppynnit the dur thairof Takand in the pulder and the murtherers thairat, for he kepit the key that oppynnyt to that entres of the garding And becaus thair wes a bed and some tapestrie of valour in that ludging sett vp for the king befoir his cuming thairto She causit remove the samin be the kepaires of hir gardrop to Halyrudhous on the fryday preceding the murther, and ane vther wors wes sett up in the place thairof quhilk she thocht guid anewch to be wairit in sic vse, seing it was destinat for the same.

The pulder being laid in the laich hous quhairat boithuile in proper persoun was present, he come thairfra in to the kingis chalmer And eftir he had plaid at the dice a quhile with the vtheris lordes quhilkis attendit thair on the quene Parice come up out of hir chalmer and gaif ane signe that all wes prepairit, Quhilk sa sone as she persauit (being kissand and familiarlie Intertenand the king, at quhilk tyme she pat ane ring on his fingar) she said, I haue faillit to bastian, that this nycht of his mariage promisit him the mask And swa Incontinent cryit for hors and departit toward halyrudehous boithuile being in hir cumpany.

All the way quhill hir cuming to the palice, and eftir hir lichting In hir awin chalmer she hell purpois with boithuile alanerlie quhill eftir xii houris in the nycht, For the laird of tracquair captane of the gaird being the last man that tareit in the chalmer that nycht left thame togidder and past to his bed Eftir quhilk boithuile departit as it had bene to his bed in the lord Ruthvennis hous, quhilk had passaige baith within and without the palace, and Incontinent changit his hois and doublet, and past without delay to the execution of the murther, quhilk being done he returnit directlie to his said chalmer at the palice, passing and repassing by hir watche.

The *fourt part contenyng* the sequele of the said murther fra the committing thairof to the accompleshing of the pretendit and vnlawfull mariage betuix the quene and boithuile.

The murther thus continewit in a strange and vncouth maner Notwithstanding the horrible crak of the pulder in the owerthraw and raising of the hous, quhilk astonysed and walkynnet the maist part of the inhabitantis of the toun, zit it nowther fearit nor movit the qúene na mair nor evir sic thing had bene.

Thaireftir boithuile being raisit furth of his bed be Maister george halket his man cuming furth . . . .[1] befoir his Maister slepit The said boithuile and certane vtheris lordis and ladyes lying in the palice past to the quenis chalmer and declarit the king wes deid, zit she wes litle alterit or abaysit of thay strange newis Bot desirit thame to pas to the towne and se the maner And thaireftir slepit soundlie, dureis and wondois all closit, vnsperand farther newis quhill twelf houris at none.

The same monnonnday quhilk wes the xii of februar. 1566. at eftirnone the mater being wonderit at, and great execratioun in the mouthis of the multitude aganis the authors of that myschevous fact, for the maners saik a counsale wes convenit in the erle of ergilis chalmer To mak sum schaw of Inquisitioun, quhair Thomas Nilsoun and sum otheris that lay in the kingis hous wer inquirit amangis vther thingis quha preparit and ordainit that hous for the king, vtheris sperit quha had the keyis To quhome the said Nilsoun answerit that there wes certane keyis namelie they that wer in the handis of the quenis servandis Archibald betonis and Parice, quhilkis he nor na vther servand of the kingis evir ressauit, quhilk the laird of tullibardin comptrollar hering, said thair is a grund. Bot boithuile and vtheris of the counsale persaving the perrell neuir dippit farther in the triall and inquisitioun, bot grudgit at the erle of Athole and comptrollar In sic sort, that it behvuit thame for feare of thair lyffis to leave the court, quhairvnto thay neuir returnit during the said erle boithuillis bearing of rule.

Vpoun the morne eftir the murther quhilk wes twysday the ellevint day Margret Carwod the quenis familiar and secrete servand (quhais gret credit in all thingis is not unknawin to our aduersaires) was mareit within the quenis palace, and the

[1] Margin of MS. frayed. One or two words gone.

banket maid on the quenis charges quhilk declarit that the dule schortlie for the king decayit, and thair wes the dayis following mair travell for the inquisitioun of certane money stowin fra the said Margret nor for the kingis murther recently committit preparit.

The kingis persoun wes left liand in the zaird quhair it wes apprehendit the space of thre houris na man anes preasing to carey the same away, quhill the Irascall people transportit him to a vile hous neir that rowme quhair befoir he was ludgit quhair he remanit xlviij houris as a gasing stok without ony cair takin of him saulffing certane . . . .[1] purposelie sat to keip the entre That his corps suld not be sene be the multitude, fearing that they movit be the sicht suld haue bene induced suddanelie to mak vproare.

Thair was purpois haldin in counsale of his honorable buriall and conclusioun takin that his cors suld be takin and brocht to the chapell within the palace of halyrudehous and thair remane quhill preparatioun mycht be maid for his buriall and honorable intertenement quhilk suld not haif bene accomplesit quhill the end of fourty dayis. Notwithstanding in manyfest declaratioun of hir continewit hatrent aganis his deid body, she causit the same be brocht fra the kirk of feild to the said chapell of halyrudehous be certane soldiours pynouris and vtheris vile personis vpoun ane auld blok of forme or tre. And eftir that the corps had lyne certane dayis in the chapell quhair alswa she beheld it The same corps without ony decent ordour wes cast in the erth on the nycht without ony ceremony or cumpany of honest men.

This vnworthy vsaige of the kingis body and the oversicht and neglecting of triall and Inquisitioun for his murther movit the commoun people to affix placardis secretlie in all publict places naming and declaring the murtherars cheiflie boithuile quha wes ay the bettir fauourit, and had place to call, and trouble all payntouris and vtheris suspectit for working or affixing of the saidis placardis Swa that all the inquisitioun that dewly aucht to haue bene takin for the kingis murther wes turnyt and vsed aganis the vpputtaires

[1] Margin of MS. frayed. One word gone.

of the saidis placardis Quhilk notwithstanding fra tyme to tyme continewit zit least it suld appeare that nathing at all wer done for the murther, Thair wes a proclamatioun sett furth promitting a thousand pund to ony that wald reveill the murtherars quhilk wes not lang vnanserit, for be a new placard It was offerit That the money being consignit in ane equale hand The murtherars suld be revelit and the avower suld vtter his name, zit nathing followit. Bot in the parliament she set furth ane act aganis the affixers of the saidis placardis Making the doing thairof cryme of lese maiestie. And at the pronunciatioun of the act in the parliament hous, Said gif she war that woman quhilk the placardis namet She wes not onely vnworthy to Reigne aboue sa ancient a people, bot wes alswa vnworthy to leif on the face of the earth.

Howbeit the erle of [Lennox the] kingis father mony tymes writt to hir not onelie Requirand the murther to be tryit Bot alswa namand boithuile in speciall and certane vtheris of the murtherars, and craving that they mycht be put in ward quhill the end of the triall, zit she vtterlie neglectit schiftit and delayit the same, And wilfullie retenit the nominat and knawin murtherair of hir husband in hir cumpany in cheifest honour and familiaritie Rewardand his servandis and complices at all occasionis.

Bot seeing the incessant crying of my lord erle of lennox for Justice Sa directlie tweching the erle boithuile hir cheif mynioun, with quhome she had now oblissit hir self to marie, ze, as weill appearis before the murther of hir husband, vnto the quhilk mariage without sum forme of purgatioun of boithuile Thinking it decent for hir to proceid Sum of the counsall wer thairfore commandit to convene in seytoun, And consultatioun takin how and in quhat fassoun he mycht be quytt of the murther, quhairvpoun lettres wer direct, summonding the erle of lennox and all vtheris haifing intres to persew boithuile on fourty dayis warning aganis the order of law in sic caissis observit, for the cryme being tressoun as they that ar callit aucht to be summondit on xl dayis warning. Sa gif the suspect traitour sute his awin purgatioun as boithuile than did, The father mother wiff barnis king and freindis of the murtherit king aucht to haue bene summondit

To persew on the like space of xl dayis, as the murtherar mycht haue cleamit Incais he had bene directlie persewit at thair Instance And farther becaus Lady Margret the kingis mother wes furth of the Realme, hir premonitioun aucht to haue bene on lx dayis according to the lawes of Scotland.

Zit impatient of the delay of that vnlauchfull mariage, quhairunto she Intendit with the murtherar of hir husband, Eftir the summondis direct, and before the day that the murtherar tholit law, he being cled with a lauchfull wiff of his awin The quene maid the secund contract of mariage with him daitit at Seytoun the v day of Aprile and writtin be the erle of huntley 1567 subscriuit with baith thair handis as a reward and recompence of the murther quhilk be hir advise he had committit.

Vpoun the xii day of Aprile. 1567. appoynted to try for the fassoun the murtherar be the law, diuerse noblemen and vtheris, knawin quhat wes intendit and suitin[g to] eschew the strait Ernistlie travellit that they suld not be on his assyse or inqueist Notwithstanding they war compellit be the quene extraordinarlie to be present at the actioun and to be of the nowmer of the samyn Inqueist.

Quhair of dewetie she aucht to haue takin speciall cair and vtter diligence for the persute of hir husbandis murther, be the contrar hir soldiouris wer appoynted to attend on boithuillis persoun as a gaird for his defence quhen he past and returnit to and fra the tolbuith, hir aduocattis also wer expreslie defendit to persew him, And to the end the mater suld haue past furthwart without stop or contradictioun They accusit him of ane murther committit on the nynt day The kingis murther indeid being committit on the tent day. The dictay wes alsua presentit aganis him vnsworne. And notwithstanding of the ernist solistatioun of my lord erle of lennox, bot als of the quenis maiestie of englandis request send for differring of that day, In consideratioun of that Inordinat and partiall proceding intendit, quhill a tyme mair oportune All wes vtterlie refusit, becaus nathing wes regardit, bot anys to haue clemgit be ane meane or vther, that the mariage mycht follow.

Befoir this tyme thair wes a counterfuted dule, quhilk

albeit it lastit scars aucht dayis of fourtie That according to the custume of princes ar dew, zit the seremony was sa evill observit evin in the aucht and ten dayis nixt eftir the murther That hary killegrew the quenis Maiestie of englandis servant deprehendit the ordour of the hous all perturbit as he come to the quenis presence (Then for the maner saik keping the bed) howbeit in his access he wes not suddane nor indiscreit Sa difficill it is to feingze dule out of a joyus heart.

Few dayes eftir the murther remaning at halyrudehous, she past to seytoun, exercing hir one day richt oppinlie at the feildis with the palmall and goif, And on the nycht planelie abusing hir body with boithuell, quha in that hous wes placit in a derne and obscure chalmer directlie vnder hirs, haifing a secrete passaige betuix, be the quhilk he had access to hir at his appetite The said chalmer being altogether vnmeit for a nobleman of sic state and credite as he bure at that tyme, And thair being mony ma sufficient housses beside the samyn occupyit be meane men, Gif that the chalmer had not bene vsit purpoislie to the effect abouespecifeit. And albeit Monsr. de Crocq ambassadour for the king of france drew hir out of seytoun to Edinburgh, zit sche thocht the place of seytoun sa proper for thair vsaige, that schort quhile tareying at Edinburgh returnit agane to seytoun.

Eftir the murther of the king hir husband be advise of boithuile and vtheris then hir cheif counsalouris she thocht not onely that the erledome of lennox wes fallin in hir handis be ressoun of waird throw deceis of the king hir husband, hir sone the prince now our souerane lord being lauchfull and richtuous air thairof Bot als she causit diuers of the fre tenentis of the said erldome fyne for the waird of thair proper landis And disponit a part of ye propirtie thairof to the lord boyd.

Alswa she disponit hir said vmquhile husbandis horss clething armour and quhatsoeuir wes his to boithuell his cheif murtherar and vtheris his knawin vnfreindis in manifest prufe of hir continewit hatrent aganis his deid body and of hir fauour born to his murtherars.

And to the end she mycht the mair easalie attene to the mariage of the murtherair, quhilk culd not be quhill diuorce wer maid and led betuix him and his lauchfull wiff the erle

of huntleyis sister, The quene restorit the said erle of huntlie be parliament to his leving, for the quhilk he perswadit his sister to subscriue a procuratorie that the diuorce mycht be persewit in hir name.

The quene neuir ceassit eftir the murther of hir husband quhill she had the erle of Mar displacit out of the castell of Edinburgh quha and his father had trewly kepit the same of a lang continewance And schortlie placit the murtherair thairin and pat the haill mvnitionis of the realme in . . .[1]

The parliament of the erle of huntleyes restitutioun being endit vpoun the xix day of aprile 1567 The lordis being callit to suppar be boithuile at his hous than kepit within the palace of halyrudehous, quhilk was Invironed with his gaird of men of weir, Eftir suppar he proponit a band to them to subscriue for avanceing of him to the quenis Mariage, quhilk they refusing to subscriue without hir awin advise and knawlege of hir opinioun, She subscriuit a lettir at the first motioun in takin of hir consent and guidwill, he then being cled with a wyff, and the king hir husband murtherit litle attour twa monethis of befoir. In quhilk space she had past twa contractis to marie him ane without a dait, the vther of the fyft of Aprile, And she desirit the said lettre of hir consent to be kepit secrete.

Nixt for coverture of thair vngodlie and filthye vsaig continewit a lang tyme, thay devysit a counterfuted revising of hir persoun And for that purpois she raid to streuiling as it war to visite hir sone on monnonday the xxi of Aprile and on the wednisday returnit at nycht to linlythgow, he on the vther part feingzeing him to ryde in liddisdale convenit a cumpany of armit men and according as had bene afore deuisit and as she writt to him furth of linlythgow, he mett hir and revisit hir, conveyand hir in haist to Dumbar castell, quhair he planelie past to bed with hir, abvsand hir body at his pleasour, quhilk forme of revising he practized alswa to his awin advantaige Thinking it being a cryme a lesemaiestie to tak a remissioun thairfore as he did, And vnder the same cryme to comprehend the kingis murther Incais it mycht be tryit thaireftir.

[1] Margin of MS. worn. One or two words gone—probably "his hands."

Being thus led and detenit as apperit captiue in Dumbar diuers noblemen writt to hir, Requiring to knaw the trewth of hir strange and Irreverent handilling, and offering to convene hir forces and releif hir Maiestie, she planelie mockit at and schew na signes of discontentatioun.

In the tyme of hir remaning at dumbar be the space of viij or ix dayis a diuorce wes led in twa formes betuix boithuile and his lauchfull wiff not without the quenis ernist solistatioun to the Jugeis and vtheris that mycht further the same she notwithstanding professing hir self captiue, quhilkis diuorcementis weill considerit ar null, That quhilk is groundit on adulterie vpoun his parte for lak of pruif and insufficiency of the witnes. The vther for consanguinitie standing betuix him and his wiff procedit onelie becaus the dispensatioun wes abstracted, the pure man nominat Juge being diuerss tymes minascit of his liff.

Sentence being pronuncit in this vnlawfull diuorce, she and boithuell removit frome Dumbar to the castell of Edinburgh, haistit be all meanis to accompleis the pretendit mariage betuix thame, And thair maid the thrid contract of mariage, gaif him the erledome of orknay and lordschip of zetland heretablie, quhilk of befoir she had disponit to hir brother my lord Robert of halyrudehous The redar alswa of the kirk of Edinburgh Refusand to cry hir bandis she writt commanding the same expreslie to be done, abiding than in Edinburgh castell.

And vpoun monnonday the xij of Maij eftir hir bannis wer cryit, she come furth of the castell to the tolbuith of Edinburgh And thair in presence of the lordis of counsale and sessioun and diuerse noblemen declarit that albeit she wes commovit for the present of hir takin be boithuile zit for his guid behaving towardis hir she stude content with him, declarand that she forgaif him and his complices, and declarit hir self at liberty quharin his deip assimulatioun may easalie be espyit.

In all this tyme she neuir requirit the avise and opinioun of hir counsale and nobiletie towardes hir mariage nor neuir enterit propois thairof quhill the eftirnone afoir it wes accompliced, And then the samin being proponit The lordes that wer present thoght great evill of that forme of proceding and spak in plane

termes they culd not approve the mariage Onles the band quhilk was subscriuit on the xix of Aprile wer destroyit for satisfactioun of quhome the quenis consent to that band wes written vpoun the same paper and she subscriuit it.

And vpoun thurisday the fyftene day of Maij. 1567. wes the said pretendit and vnlauchfull mariage endit and accumplesit in twa fassions quhilk Monsr. du Crog the frenche ambassadoure sa greitlie disdaynit That being ludgit within a very schort space to the palace of halyrudehous, he wald not at the quenis desire pas to banket.

Swa, *Apperandlie to oure jugement les presumptionis nor heir ar expresit suld serue for the full probatioun of this mater Considering that quene Jane of napillis being of the like cryme accusit was adiugit culpable of the same, far feuar presumptionis being laid to hir charge, as it apperis be the exemple of lowis king of ungarie, Ansuerand the said quene claris in thir wordis.*

Inordinata vita precedens, retentio potestatis in regno, neglecta vindicta vir alter susceptus, et excusatio subsequens: necis viri tui te probant fuisse participem et consortem.

The fyft and last part Contenyng how be occasioun of the pvnyschement of the said murther neglected, The noblemen and vtheris guid subiectis tuke armes detenit and sequestrat the said Quenis persoun for a tyme, And of the coronatioun of our soueraine lord and estableshing of the governament of the realm in the persoun of the Regent during his hienes minoritie.

At the accomplesing of this suddane and vnprouisit mariage and counsale haldin the eftirnone preceding, few of the noblemen wer present as ane act of sic solempnitie and Importance had bene requisite, for mony of thame finding thame selffis sa trappit be cuming to suppar, and consequentlie be subscriving the band the xix day of Aprile fearing to be burdynnit with mair vngodlie and vnlefull thingis departit quietlie and come not agane to court bot withdrew thame to thair housses secreitlie, to se quhat end that strange and marvelous confusioun wald draw vnto, juging it rather better sa to do than to offer trew counsale quhair it was wilfullie reiectit and

mockit at, As thay traistit at the sicht of the quenis consent to subscriue ye said band on ye said nyntene day, and be hir mocking quhen as the noblemen send to dumbar offerand to releif hir.

Heireftir diuers meanes wer maid to draw the noblemen (that she and he fearit myslikit that state) to the court, quhair gif they had cumin Outher thay suld haue gane fordwart in all vngodlie thingis with thame or ellis haue bene wardit or as weill apperit destroyed and put to death The hard conditionis proponit to the noblemen that desirit to pas out of the realme wes a forwarning of the ordour deuisit for thame.

Swa the circumstances of this haill tragedie gravelie considerit be diuerse noblemen how that wicked and godles man had fund sic hap In sa vngodlie a mater as be the murther of the king, To obtene the quenis mariage and governament of the realme, beside the cair of there awin lyffis, quhilkis euidentlie they saw subiect to euident perrell and destructioun. Bot maist of all takand regard to the preservatioun of the Innocent person of the natiue prince quhais liff had not indurit, his fatheris murtherair having sic authoritie, seing it that is aspirit to and gotten be wicked meanys, be the same meanys custumably it is mantenit. Thairfoir the saidis noblemen and vtheris gude subiectis drevin to the vttermaist poynt of iust necessitie behuiffit to tak armes on the suddane, Thinking nathing mair godlie nor mair honorable in the sicht of the warld, then be pvnysing of boithuile cheif author of the murther To releif vtheris saikleslie calumpinat thairof To put the quene to libertie and fredome furth of the bondaige of that tyran quha sa presumptuouslie had interprisit to reveis and marie hir, quhais lauchfull husband he culd not be nether she his lauchfull wiff And to preserve the Innocent persoun of thair native prince furth of the handis of him that murtherit his father as weill apperit be thair procedingis at thair cuming neir borthuik Out of the quhilk how sone they knew boithuile to be escapit they schew na kynd of persute aganis the quene Bot past bak to Edinburgh Thair to advise on thair greit and wechtie purpose, and to gif warnyng to the remanent noblemen of thair occasioun of their taking of

armes and Intentioun to proceid to the pvnisment of the murther.

And boithuile knawing the noblemen and thair cumpany to be departit towardis Edinburgh Send the lard of ormistoun in teviotdaill Ane that wes present in persoun at the kingis murthure with his other freindis And be thame causit the quene be convoyit fra borthuik to the castell of dumbar arrayit in sic forme, that it wes marvelous to the behalders at that tyme and vnworthy presentlie to be rehersit, evir thinking be hir and hir auctoritie to cover him fra pvnisment.

Sone eftir hir cuming to dumbar quhilk wes weddinsday at nycht the xj day of Junij. 1567. strait proclamationis past furth Commanding all men to repair in weirlike maner towardes the quene, and boithuile then termed duik of orknay hir husband, quhilkis convening he marchit from dumbar on settirday the xiiij day, having in his cumpany beside the power of the cuntre cartit ordinance and wageit men of weir. Quhairfore the noblemen convenit for persute of the murtherar being to lait aduertesit, removit furth of Edinburgh And vpoun sonday the xv day approchit to the said erles cumpany, quhilk then was at Carbarryhill xv mylis from dumbar and five mylis onelie from Edinburgh, Quhair being inquirit of the caus of there takin of armes Declarit the occasioun to be the persute of the murthur of the king vpoun the erle boithuile cheif author thairof, For indeid the querrell wes than onelie intentit aganis him and the remanent knawing murtherars without the bludesched of ony Innocent man and in takin thairof it wes offerit to try the mater with him in singular battell betuix the cumpanyes according to the law of armes be a gentleman undefamit quhais name being inquirit The lard of tullibardin declarit him reddie thairto. Bot the murtherar boithuile schifting (aganis the tennour of his cartele quhilk of before he had proclamit) said he wald fecht with ony erle or lord on the other party. The lord lindesay acceptand the conditioun, preparit him Immediatelie for the same, and the maist part of baith the cumpanyes louked assuredlie to haue sene the mater then instantlie tryit Bot the murtherar dispairit of his querrell and movit be the gruge of his gyltie conscience not

without the quenis perswasioun refusand all Escâpit be flicht to Dumbar castell, Incurrand thairby the ignominy dew vnto the vincust be the law of armes. And she preferrand his Impvnitie to hir awin honoure wald se him convoyit away, And to the end he suld not be followit nor persewit come hir self to the noblemen assemblit aganis the murtherar, quhilkis convoyit hir to Edinburgh.

And being in Edinburgh vpoun the xvj day of the said moneth of Junij. 1567. Albeit hir inordinat fauour schawin to the said boithuile hir husbandis murtherair, wes ower greit a presumptioun to convince hir as gyltie of the murthure, zit the noblemen past to hir humlie requiring hir that she wald se the murtherars pvnised and be content that the pretendit and vnlawfull mariage quhairin she wes Improuisitlie enterit to be dissoluit for hir awin honour, the saulfgard of hir sone and the quietnes of hir realme and subiectis To the quhilk na vther ansuer culd be obtenit bot rigorous minassing on the ane part avowand to be revengit on all thame that had schawin thame selffis in that cause And on the vther part offerand to gif ower the realme and all, swa she mycht be sufferit to posses the murtherar of hir husband And in farther pruif of hir indurat affectioun towardes him She convoyit a purs with gold to him be dauid kintor the same xvj day, quhilk hir inflexible mynd and extremitie of necessitie compellit the noblemen to sequestrat hir persoun for a seasoun fra the cumpany and having intelligence with the said boithuile and his fautoures quhill farther triall mycht be takin and executioun maid for the murther Seing it had bene impossible to mak ony pvnisement thairfoir, she remaning at liberty and hir passioun sufferit to wirk the awin effect.

The noblemen remaning at Edinburgh ernistlie travilling be Inquisitioun and vtherwise to haue the said murther tryit and pvnised, Boithuile then admirall of the realme abiding certane space at dumbar Repairit to the Northland, and thair prepairit to pas to the sea in pyracie as the last tred that wickit and dispairit personis commounlie frequentis And zit send to the castell of Edinburgh for a box with letters quhilk he left thair Thinking gif he culd haue the samin the grund of the caus suld neuir cum to lycht Bot as god wald the

box wes intercepted and takin fra vmquhile george dalgleishe his servand and being viseit thair wes fund in the samin sic lettres of quenis awin handwritt direct to the said erle and vtheris writingis as cleirlie testifeit That as he wes the cheif executour of the murther sa was she of the foirknawlege counsaler deuisar and mantenar of the authors thairof, and that hir revesing preceiding hir pretendit mariage with the said erle, wes nathing ellis but a colourit mask inuented and commandit be hir selff, as a cloik of the abusing of hir body and fylthie lyff frequentit with him of a lang continewance, baith before and eftir the murther of hir husband.

Quhilk strange and vnnaturall crueltie befoir suspectit being now euidentlie knawin be mony infallible pruiffis and argumentis was oppinlie spokin of amangis the people and swa the fame thairof at last come to the quenis awin earis, Quhairvpoun considering hir former vngodlie lyff and wickit behaviour and how iust occasioun she had gevin to hir subiectis to myslike and werie of hir governament she wes content to dimit and resigne the same with hir royall croun and all pertinentis thairof In the fauores of hir sone now our souerane lord And during his minoritie to establishe the regiment of the realme in the persoun of the erle of Murray without his knawledge or desire, he being then absent furth of the realme, and that voluntarlie na compulsioun violence or force in word or deid vsit or practized to move hir thairto.

APPENDIX C.[1]

COMICÕNS OF S^R W. CECYLLS HAND.

(*State Papers* (*Mary Queen of Scots*), 1568, *vol.* ii. *No.* 61.)

Apud Westm̃. die Martis, 7 Decembr̃ hora 9th. ãte Meridiẽ, 1568. The Queens Ma^tys Commissioners having heard the foresaid Book of Articles thoroughly red unto them the night before, and not the other writings containing the Act of Parlem^t and the names of ye Estates assembled for the same Parlem^t did hear the same ij writings red unto them And after that entred into a new hearing of the Book of Articles, whereof having heard iij of the Chapters or heads the Earl of Murray and his Collegues according to the Appointm^t came to the said Commissioners, and said, They trusted that after the reading of the said book of Articles, and specially upon the sight of the Act of Parlem^t wherein the whole cause wherewith theire Adversaries did charge them, were found declared, and concluded to be lawfull; their Ll would not onely be satisfied to thinke them clear and void of such crime as her Ma^ty did charge them with all, but also would so satisfye her Ma^ty, for they had no manner of meaning from the beginning of this Conference to have dealt anything to the prejudice of the Q. of Scottes their Soveraigns Mother, but that upon her request made to the Q. Ma^ty they were commanded to come into this Realm to answer to such things, as they should be charged withall. And so being charged by their Adversaries they had made such Answer as their Ll. had seen, and the same charge being continued against them, their Ma^ty also as it seemeth charging them, @ as it were, condemning them, they required to know whether their Ll were not now satisfied with such things as they had seen, and if they were not, and that it would please them to shew if in any part of those Articles exhibited they conceived any doubt, or would have any other proofe, which they

[1] The minutes supposed to be lost.—See Laing, i. 219; Goodall, ii. 235.

trusted, needed not, considering the circumstances thereof were for the most part notorious to the world, they would willingly shew matter therein to satisfye them. Whereunto her Ma^{tys} Commissioners answered, that it was well known, what place they held in this Conference, that was, to be only hearers, and with all indifferency to make report unto her Ma^{ty} of such things as should be on either part produced without requiring or procuring any other matter, than tlfey themselves should find convenient to utter or exhibite, and therefore they could not with good indifferency declare what they thought sufficient or insufficient in these matters last produced, for that were now proper to their Adversaries to shew what they thought to be insufficient, and where also they seemed to move her Ma^{tys} said Commissioners to allow hereof in like sort as the iij Estats in Scotland had, the said Commissioners answered they knew not, how the States in Scotland wer thereto moved, and as for themselves, how they were herewith moved they need not to declare. Whereupon the said Earle and his Collegues pausing a while did withdraw themselves, and at their return they repeated their former unwillingnes in like manner (though in diversity of Speech) and requiring that they might utter, and declare that, which they might utter and shew under the benefit of their former protestacõn, adding sundry times, that their Adversaries in this matter had been the cause of the utterance of any thing spoken to the infamy of the Queen whom they knew well had more particular respect to themselves, than to the honour and weal of the Q. And so they produced a small gilded coffer of not fully one foot long, being garnished in many places with the Roman Letter F set under a R. Crown, wherein were certain letters, and writings, and as they said and affirmed to have been written with the Q. of Scottes own hand, to the Earl Bothwell, which coffer, as they said, being left in the Castle of Edenborough by the said Earl Bothwell before his flying away, was sent for by one Georg Dalglish his servant, who was taken by the Earle of Morton, who also thereto sitting presently as one of the Commissioners avowed upon his oath the same to be true, and the writings to be the very same, without any manner of change, and

before they would exhibit the sight of any of those letters, they exhibited a writing written in a Romain hand in French, as they said, and would avow by the Q. of Scottes herself, being a promise of Marriage to the Earl Bothwell; which writing being without date, and although some words therein seem to the contrary, they did suppose so to have been made and written by her before the death of her husband, the tenour

whereof thus followeth: Nous Marie par la Grace de Dieu &c.

They also exhibited an other writing in Scottish which they avowed to be wholly written by the Earle of Huntley dated the vth of Aprill containing a form of a contract for marriage betwixt the said Queen and Earle Bothwell subscribed Mary which they avowed to be the proper hand of the said Queen, and underneath it James Earle Bothwell, which they also avowed to be the proper hand of the said Earl Bothwell. At which time he was commonly defamed, and not cleansed (as they termed it) which is not acquited before the xii^th^ of Aprill following, the tenour of which contract thus ensueth:

At Seton the vth day of Aprill.

After this they shewed the Acts or Records of the Justice Court held at Edenborough the said xij^th^ of Aprill, signed by John Bollenden Justice Clerk among which followed dictaye otherwise called the Inditem^t^ in this sort following. James Erle Bothwell Lord Hayles and Crighton &c. And in another place amongst the said Acts and Records the names of the Lord of Hiassises[1] with their Answere to the said dictay as hereafter followeth. Assise

Andrew Erle of Rothes &c. To which they added this in defence of the said verdict, besides the matters contained in the later part of protestation made by George Erle of Catnes Chancelour of the said Assise that the said dictay was not in this point true alledging the murder to be committed the ix^th^ day of February which was . . . . . for that in deed the murder was committed on the next day being the xth in the morning before at ij houres after the midnight preceding, which in law was and ought to be truly accompted the xth day, and so the acquitall not in that point untrue They

[1] *Sic* in original.

also required that consideration might be had of certain words in divers places of the contract made at Seto the vth of Aprill 1567. Whereof the tenour is above inserted, whereby is by express words mentioned that before the vth of Aprill a process of Divorce betwext the Earle Bothwell, and Dame Jane Gourday[1] his Wife was intented, that is to say, begon, for that they alleged that at the same time ye proces of the said Divorce was not begon but the said contract was made not only when the said Earle was undivorced but before any such proces or suite was intented; for which purpose the said Earle and his Collegues produced forth before ij severall ordinary Ecclesiasticall Judges 2 Acts of the whole Judgem^t^ of the Divorce wherein appeared that the process of the one begon the xxv^th^ of Aprill and the other the xxvij^th^ as further may appeare by the tenour of the said Process hereafter following.

After this the said Earle, and his Collegues offred to shew certain prooves not onely of the Queens hate towards the King her husband but also of unordinate love towards Bothwell, for which purpose they first produced a letter written in French and in Romain hand which they avowed to be a letter of the said Queens own hand *stet*[1] to Bothwell when she was at Glasco with her husband at the time she went to bring him to Edenborough, the tenour of which letter hereafter followeth: Il semble que avecques vr̃e absence &c.[2] ε

After this they produced for the same purpose one other long lettre written also with the like hand, and in French, which they also avowed to be a letter written with the said Queens own hand to Bothwell from Glasco. Upon the reading whereof they did expresse their own knowledg̃ of certain matters concerning doubtfull speeches in the same letter contained, of one Willm̃ Higate, and . . . . . and also of the Lord of Mynte, by which they intended to make it plain that otherwise was doubtfull, the Tenour of all which letter followeth hereafter. Estant party du lieu &c.[3] ζ

[1] *Sic* in original.
[2] Letter No. 1, in French, *ante*, 188.
[3] Letter No. 2, in French, *ante*, 190.

[*Indorsed*]

vijth of Decemb. 1568.

'The 6 Session at the Parlem^{t} Chamber the vijth of Decembr̃

6° Sessen.

Mr Windebanke

Scotl^{d}

I certify that the foregoing is a true and authentic copy,

H. J. SHARPE,
Assistant-Keeper of Public Records.

February 5, 1869.

APPENDIX D.[1]

(*From a copy marked by Cecil—Cot. Libr., Cal., B.* ix. *fol.* 247.)

January 21, 1566. The Quene tuik hir journay towards Glascow, and was accompanyit with the Earlis of Huntly and Bothwell to the Kalendar, my Lord Levistoun's Place.

23. The Quene came to Glascow, and on the rode met hir Thomas Crauford from the Erle of Lennux, and Sir James Hamilton, with the rest mentionit in hir letter. Erle Huntly and Bothwell returnit that same nycht to Edynbrough, and Bothwell lay in the town.

24. The Quene remaynit at Glascow, lyck as she did the 25th and the 26th, and hayd the conference with the King whereof she wryttis; and in this tyme wrayt hir bylle and uther letteris to Bothwell. And Bothwell this 24th day wes found verray tymus weséing the Kyng's ludging that wes in preparing for him, and the same nycht tuik journay towards Lyddisdaill.

27. The Quene (conforme to hir commission, as she wryttis) broucht the King from Glascow to the Kalendar towards Edynbrough.

28. The Quene broucht the King to Linlythquow, and there remained all morn, quhill she gat word of my Lord Bothwell his returning towards Edynbrough, be Hob Ormistoun, ane of the murtheraris. The same day the Erle Bothwell came back from Lyddisdaill towards Edynbrough.

[1] This is the portion of Murray's Journal relating to the queen's journey to Glasgow.

APPENDIX E.

The FIRST CONTRACT produced by JAMES STEWART, EARL OF MURRAY, at London.[1]

Nous Marie, par la grace de Dieu, Royne d'Escosse, douaryere de France, &c. promettons fidellement, & de bonne foy, & sans contraynte, à Jaques Hepburn Conte de Boduel, de n'avoir jamays autre espoulx & mary que luy, & de le prendre pour tel toute & quant fois qu'il m'en requerira, quoy que parents, amys ou autres, y soient contrayres. Et puis que Dieu a pris mon feu mary Henry Stuart dit Darnlay, & que par ce moien je sois libre, n'estant soubs obeïssance de pere, ni de mere, des mayntenant je proteste que, lui estant en mesme liberté, je seray preste, & d'accomplir les ceremonies requises au mariage: que je lui promets devant Dieu, que j'en prantz à tesmoignasge, & la presente, signée de ma mayn: ecrit ce . . .

MARIE R.

The SECOND CONTRACT produced by the EARL OF MURRAY at London.

At Setoun, the V. day of April, the zeir of God 1567, the richt excellent, richt heich and michtie Princes, Marie, be the grace of God, Quene of Scottis, considering the place and estait quhairin Almightie God hes constitute hir heichnes, and how, be the deceis of the King hir husband, hir Majestie is now destute of ane Husband, leving solitarie in the stait of wedowheid: In the quhilk kynde of lyfe hir Majestie maist willingly wald continew, gif ye weill of hir realme and subjectis wald permit: Bot on the uther part, considdering the inconveniencis may follow, and the necessitie quhilk the realme hes, yat hir Majestie be couplit with ane husband, hir

[1] From the original, Cotton Library, Caligula, c. i. fol. 207. This is probably the paper actually produced; but the signature is certainly not that of the queen, although there is an obvious attempt at imitation.

Heichness hes inclynit to mary. And seing quhat incommoditie may cum to this realme, in cace hir Majestie suld joyne in mariage with ony forane Prince of ane strange natioun, hir Heichnes hes thocht rather better to zeild unto ane of hir awin subjectis: Amangis quhome hir Majestie findis nane mair abil, nor indewit with better qualiteis, then the richt nobill, and hir deir cousin, James Erle Bothwell, &c. of quhais thankfull and trew service hir Heichnes, in all tymes bypast, hes had large prufe and infallibill experience. And seing not only the same gude mynd constantly persevering in him, bot with that ane inward affection and hartly lufe towardis hir Majestie, hir Heichness, amangis the rest, hes maid hir chose of him: And thairfoir, in the presence of the eternall God, faithfully, and in the word of ane Prince, be thir presentis, takis the said James Erle Bothwell as hir lawfull husband, and promittis and oblissis hir Heichnes, that how sone the proces of divorce, intentit betwixt ye said Erle Bothwell and Dame Jane Gordoun, now his pretensit spous, beis endit be the ordour of ye lawis, hir Majestie sall, God willing, thairefter schortly mary and tak the said Erle to hir husband, and compleit the band of matrimonie with him, in face of haly kirk, and sall never mary nane uther husband bot he only, during his lyfetyme. And as hir Majestie, of hir gratious humanitie and proper motive, without deserving of the said Erle, hes thus inclynit hir favour and affection towardis him, he humblie and reverentlie acknawledging the same, according to his bound dewtie, and being als fré and abill to mak promeis of mariage, in respect of the said proces of divorce, intentit for divers ressonabill causis, and that his said pretensit spous hes thairunto consentit, he presentlie takis hir Majestie as his lauchfull spous in the presence of God, and promittis and oblissis him, as he will answer to God, and upon his fidelitie and honour, that, in all diligence possibill, he sall prosecute and set fordward the said proces of divorce alreddy begunne and intentit betwix him and the said Dame Jane Gordoun his pretensit spous, unto the fynal end of ane decreit and declarator thairin. And incontinent thairefter, at hir Majesteis gude will and plesure, and quhen hir Heichness thinkis convenient, sall compleit and solem-

nizat, in face of haly kirk, ye said band of matrimony with hir Majestie, and lufe, honour and serve hir Heichness, according to the place and honour that it hes pleisit hir Majestie to accept him unto, and never to have ony uther for his wyfe, during hir Majesteis lyfetime: In faith and witnessing quhairof, hir Heichness and the said Erle hes subscrivit this present faithfull promeis with yair handis, as followis, day, zeir and place foirsaidis, befoir thir witnessis, George Erle of Huntly, and maister Thomas Hepburne Persoun of Aulhamstock, &c. *Sic subscribitur,*

MARIE R.
JAMES ERLE BOTHWELL.

Heir note, that this contract was maid the V. of Apryll, within VIII. oulkis efter the murther of the King, quhilk was slane the X. of Februar befoir; also it was maid VII. dayis befoir that Bothwell was acquyitit, be corrupt judgement, of the said murther.

Alswa it appeiris be the wordis of the contract itself, that it was maid befoir sentence of divorce betwix Bothwell and his former wife, and alswa in verray treuth was maid befoir ony Sute of divorce intentit or begune betwene him and his former wyfe, thocht sum wordis in this contract seme to say utherwyse. Quhilk is thus provit; for this contract is daitit ye V. of Apryll, and it planely appeiris, be the judiciall actis befoir the twa severall Ecclesiastical ordinarie judges, quhairin is contenit the haill proces of the divorce betwene the said Erle and Dame Jane Gordoun his wyfe, that the ane of the same processis was intentit and begun the XXVI. day of Apryll, and the uther the XXVII.—Buchanan's 'Detection.'

The TRUE CONTRACT OF MARRIAGE between Q. MARY and JAMES DUKE OF ORKNAY, EARL BOITHVILE, &c.[1]

At Edinburgh, the xiiii. day of Maii, the zeir of God MD thrie scoir sevin zeris. It is appointit, agreit, contractit, and finalie accordit betwix the richt excellent, richt heich,

[1] From the original in the Royal Archives.—See Goodall, ii. 57.

and michtie Princesse Marie, be the grace of God, Quene of Scottis, dowarrier of France, on the ane part, and the richt noble and potent Prince James Duke of Orknay, Erle Boithvile, Lord Halis, Creichtoun and Liddisdaill, greit Admirall of this realme of Scotland, on the uther part, in manner, forme, and effect as efter followis; that is to say: Forsamekle as hir Majestie, considering with hirself how almichtie God hes not onlie placit and constitute hir Heines to regnne owir this realme, and during hir lyvetyme to governe the people and inhabitantis thairof, hir native subjectis; bot als that of hir royall persoun successioun mycht be producit, to enjoy and posses this kingdome and dominionis thairof, quhen God sall call hir Hienes to his mercy out of this mortall lyff; and how graciouslie it hes plesit him alreddy to respect hir Hienes, and this hir realme, in geving unto hir Majestie of hir maist deare and onlie sone the Prince, baith hir Hienes self and hir haill subjectis ar detbund to rander unto God immortal prayse and thankes. And now hir Majestie being destitute of an husband, levand solitary in the state of wedoheid, and zit zoung and of flurishing aige, apt and able to procreate and bring forth ma children, hes bene preissit and humbly requirit to zeild unto sum mariage. Quhilk petitioun hir Grace weying, and taking in gude part, bot cheiflie regarding the preservatioun and continewance of hir posteritie hes condescendit thairto. And mature deliberatioun being had towert the personaige of him with quhome hir Hienes suld joyne in mariage, the maist part of hir Nobilitie, be way of advise, hes humbly prayit hir Majestie, and thocht bettir that she suld sa far humble hirself, as to accept ane of hir awin borne subjectis on that state and place, that wer accustomat with the maneris, lawis and consuetude of this countré, rather nor ony foreyne Prince: And hir Majestie preferrand thair advyse and prayers, with the weilfair of hir realme, to the avancement and promotioun quhilk hir Hienes in particular mycht have be foreyne mariage, hes in that poynt likewise inclynit to the sute of hir said Nobilitie. And thay namand the said noble Prince, now Duke of Orknay, for the special personaige, hir Majestie well avysit, hes allowit thair motioun and nominatioun, and graciouslie accordit thairunto, having recent me-

morie of the notable and worthie actis, and gude service done and performit be him to hir Majestie, alswell sen hir returning and arrivall in this realme, as of befoir in hir Hienes's minoritie, and during the time of governament of umquhile hir dearest moder of gude memorie, in the furthsetting of hir Majestie's auctoritie aganis all impugnaris and ganestanderis thairof: Quhais magnanimitie, courage, and constant trewth towert hir Majestie, in preservatioun of hir awin persoun from mony evident and greit dangeris, and in conducting of heich and profitable purposes, tending to hir Hienes's avancement, and establissing of this countrie to hir perfite and universal obedience, hes sa far movit hir, and procurit hir favour and affectioun, that abuif the commoun and accustomat gude grace and benevolence quhilk Princes usis to bestow on noble men, thair subjectis weill deserving, hir majestie wil be content to ressave and tak to hir husband the said noble Prince, for satisfactioun of the hartis of hir Nobilitie and people. And to the effect that hir Majestie may be the mair able to governe and rewill hir realme in time to cum during hir lyfetime, and that yssue and successioun, at Godis plessour, may be producit of hir maist noble persoun, quhilkis, being sa deir and tender to hir said dearest sone, eftir hir Majestie's deceis, may befoir all utheris serve, ayd and comfort him. Quhairfore the said excellent and michtie Princesse and Quene, and the said noble and potent Prince James Duke of Orknay sall, God willing, solemnizat and compleit the band of matrimony, ather of thame with uther, in face of haly kirk with all guidlie diligence. And als hir Majestie, in respect of the same matrimony, and of the successioun, at Goddis plesour to be procreat betwix thame, and producit of hir body, sall in hir nixt parliament grant a ratifcatioun, with avise of hir thrie estatis, (quhilk hir Majestie sall obtene) of the Infeftment maid be hir to the said noble Prince, than Erle Boithvile, and his airis maill to be gottin of his body, quhilkis failzeing, to hir Hienes and hir crown to return, of all and haill the erldome, landis, and ilis of Orknay and Lordship of Zetland, with the holmis, skerreis, quylandis, outbrekkis, castellis, touris, fortalices, manor-places, milnis, multuris, woddis,

cunyngharis, fisheingis, alsweill in freshe watteris as salt, havynnis, portis, raidis, outseittis, partis, pendiclis, tenentis, tenendries, service of fré tenentis, advocatioun, donatioun, and richt of patronage of kirkis, benefices and chapellanries of the samyn, liand within the sheriffdom of Orknay and fowdry of Zetland, *respectivè*, with the toll and custumis within the saidis boundis, togidder with the offices of sheriffship of Orknay and fowdry of Zetland, and office of Justiciarie witlfin all the boundis als weill of Orknay, as Zetland; with all the privilegis, feis, liberteis and dewteis perteining and belanging thairto, and all thair pertinentis, erectit in ane haill and fré Dukry, to be callit the Dukry of Orknay for evir: And, gif neid be, sall make him new infeftment thairupon in competent and dew forme: Quhilk hir Majestie promittis *in verbo principis*. And in cais, as God forbid, thair beis na airis maill procreat betwixt hir Majestie and the said Prince, he oblissis his utheris airis maill, to be gottin of his body, to renounce the halding of blanche ferme contenit in the said infeftment, takand alwayes and ressavand new infeftment of the saidis landis, Erldome, Lordship, ilis, toll, custumis, and offices, above writtin, and all thair pertinentis erectit in ane Dukry, as said is: Quhilk name and titill it sall alwayes retene notwithstanding the alteratioun of the halding; his saidis airis maill to be gottin of his body payand zerlie thairfoir to our said soverane Ladyis successoris, or thair comptrollaris in thair name, the soum of twa thousand poundis money of this realme, like as the samyn was sett in the tyme of the Kingis grace hir gracious fader, of maist worthy memorie. Mairover, the said noble and potent Prince and Duke oblissis him, that he sall nawyse dispone nor put away ony of his landis, heritaigis, possessiounis and offices present, nor quhilkis he sall happin to obtene and conquess herefter during the mariage, fra the airis maill to be gottin betwix him and hir Majestie; bot thay to succeid to the same, als weill as to the said Dukry of Orknay. Furthermair, it is concluded and accordit be hir Majestie, that all signatours, lettres and writtingis to be subscrivit be her Majestie in tyme to cum, efter the completing and solemnizatioun of the said mariage, othir of giftis, dispositionis, graces, privilegis, or

utheris sic thingis quhatsumevir, sal be alsua subscrivit be the said noble Prince and Duke for his interesse, in signe and tâkin of his consent and assent thairto, as hir Majestie's husband. Likeas it is alsua agreit and accordit be the said noble Prince and Duke, that na signatours, lettres or writingis, other of giftis, dispositionis, graces, privilegis, or uthir sic thingis concerning the affaires of the realme, sal be subscrivit be him onlie, and without hir Majesteis avise and subscriptioun; And gif ony sic thing happin, the samyn to be of nane avale. And for observing, keping and fulfilling of the premissis, and every point and article thairof, the said noble and mychtie Princesse, and the said noble Prince and Duke hes boundin and oblissit thame faithfullie to utheris; and ar content and consentis that this present contract be actit and registrat in the buikis of counsell and sessioun, *ad perpetuam rei memoriam:* And for acting and registring heirof in the said buikis, hir Majestie ordanis hir advocattis, and the said noble Prince and Duke hes maid and constitute Maister David Borthwick, Alexander Skene his procuratoris conjunctlie and severalie, promittand *de rato.* In witness of the quhilk thing hir Majestie and the said noble Prince and Duke hes subscrivit this present contract with their handis, day, zeir and place foirsaidis, befoir thir witnessis, ane maist reverend fader in God Johnne Archiebishop of Saintandrewis, Commendatar of Paisly, &c. George Erll of Huntlie, Lord Gordoun and Badzenach, Chancellar of Scotland, &c. David Erll of Crawfurd, Lord Lindsay, &c. George Erll of Rothes, Lord Leslie, Alexander Bishop of Galloway, Commendatar of Inchaffray, Johnne Bishop of Ross, Johnne Lord Fleming, Johnne Lord Hereis, William Maitland of Lethington, younger, Secretar to our Soverane Lady, Sir Johnne Bellenden of Auchnoule, Knight, Justice-Clerk, and Mr. Robert Creychton of Eliok, Advocate to hir Hienes, with utheris divers.

MARIE R.

JAMES DUKE OF ORKNAY.

On the back,

xiiii. Maii, 1567.

Comperit personalie the Quenis Majestie, and James Duke of Orknay, &c. and desyrit this contract to be registrat, &c. in presens of the Clerk of Register, &c. of quhais command I haif registrat the samin.

J. SCOTT.

APPENDIX F.

LOVE-SONNETS.

O Dieux, ayez de moy compassion,
Et m'enseignez quelle preuve certaine
Je puis donner, qui ne luy semble vaine,
De mon amour & ferme affection.
Las n'est-il pas ja en possession
Du corps, du cœur, qui ne refuse peine,
Ny deshonneur en la vie incertaine,
Offence de parens, ne pire affliction?
Pour luy tous mes amis, j'estime moins que rien,
Et de mes ennemis je veux esperer bien.
J'ay hazardé pour luy & nom & conscience.
Je veux pour luy au monde renoncer,
Je veux mourir pour le faire avancer:
Que reste plus pour prouver ma constance?

Entre ses mains, & en son plain pouvoir,
Je mets mon fils, mon honneur, & ma vie,
Mon païs, mes subjets, mon ame assubjettie.
Est toute à luy, & n'ay autre vouloir
Pour mon objet, que sans le decevoir
Suivre je veux, malgré toute l'envie
Qu'issir en peut. Car je n'ay autre envie,
Que de ma foy luy faire appercevoir

Que pour tempeste, ou bonasse qu'il face,
Jamais ne veut changer demeure ou place.
Bref, je feray de ma foy telle preuve,
Qu'il cognoistra, sans faute, ma constance ;
Non par mes pleurs, ou feinte obeïssance,
Comme autres sont, mais par diverse espreuve.

Elle, pour son honneur, vous doit obeïssance :
Moy vous obeïssant, j'en puis recevoir blasme,
N'estant, à mon regret, comme elle, vostre femme ;
Et si n'aura pourtant en ce point préminence.
Pour son proufit elle use de constance,
Car ce n'est peu d'honneur d'estre de vos biens dame :
Et moy, pour vous aimer, j'en puis recevoir blasme,
Et ne luy veux ceder en toute l'observance,
Elle de vostre mal n'a l'apprehension,
Moy je n'ay nul repos, tant je crain l'apparence.
Par l'advis des parens elle eust vostre accointance ;
Moy, malgré tous les miens, vous porte affection,
Et de sa loyauté prenez ferme asseurance.

Par vous, mon cœur, & par vostre alliance,
Elle a remis sa maison en honneur,
Elle a joüy par vous de la grandeur,
Dont tous les siens n'avoient nulle asseurance.
De vous, mon bien, elle a eu la constance,
Et a gaigné pour un temps vostre cœur,
Par vous elle a eu plaisir en bon heur,
Et pour vous a honneur & reverence,
Et n'a perdu sinon la joüissance,
D'un fascheux sot qu'elle avoit cherement.
Je ne la plain d'aimer donc ardement
Celuy qui n'a en sens, n'y en vaillance,
Ny en beauté, en bonté, ny constance,
Point de second. Je vy en ceste foy.

Quant vous l'aimiez, elle usoit de froideur,
Si vous souffriez pour s'amour passion,
Qui vient d'aimer de trop d'affection,

Son doigt monstroit la tristesse du cœur.
N'aiant plaisir en vostre grand ardeur.
En ses habits monstroit sans fiction,
Qu'elle n'avoit paour, qu'imperfection
Peust l'effacer hors de ce loyal cœur.
De vostre mort je ne vis la peaur,
Que meritoit tel mary & seigneur.
Somme de vous elle a eu tout son bien,
Et n'a prisé, n'y jamais estimé,
Une si grand heur, sinon puis qu'il n'est sien,
Et maintenant dit l'avoir tant aimé.

Et maintenant elle commence à voir,
Qu'elle estoit bien de mauvais jugement,
De n'estimer l'amour d'un tel amant,
Et voudroit bien mon amy decevoir
Par les escrits tous fardez de sçavoir,
Qui pourtant n'est en son esprit croissant,
Ains emprunté de quelque auteur luisant,
A faint tresbien un envoy sans l'avoir.
Et toutesfois ses paroles fardéez,
Ses pleurs, ses plaincts remplis de fictions,
Et ses hautz cris & lamentations,
Ont tant gaigné, que par vous sont gardéez
Ses lettres, escrites, ausquels vous donnez foy,
Et si l'aimez, & croiez plus que moy.

Vous la croyez, las! trop je l'apperçoy,
Et vous doutez de ma ferme constance,
O mon seul bien, & ma seule esperance,
Et ne vous puis asseurer de ma foy.
Vous m'estimez legiere, qui je voy,
Et si n'avez en moy nulle asseurance,
Et soupçonnez mon cœur sans apparence,
Vous meffiant à trop grand tort de moy.
Vous ignorez l'amour yue je vous porte.
Vous soupçonnez qu'autre amour me transporte.
Vous estimez mes paroles du vent.
Vous despeignez de cire mon las cœur.

Vous me pensez femme sans jugement ;
Et tout cela augmente mon ardeur.

Mon amour croist, & plus en plus croistra,
Tant que vivray, & tiendray à grandheur
Tant seulement d'avoir part en ce cœur,
Vers qui enfin mon amour paroistra
Si tresclair, que jamais n'en doutera.
Pour luy je veux recercher la grandeur,
Et feray tant que de vray congnoistra
Que je n'ay bien, heur, ne contentement,
Qu'à l'obeïr & servir loyaument.
Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder santé & vie,
Pour luy tout vertu de suivre j'ay envie,
Et sans changer me trouvera tout'une.

Pour luy aussi j'ay jetté mainte larme,
Premier qu'il fust de ce corps possesseur,
Duquel alors il n'avoit pas le cœur.
Puis me donna un autre dur alarme,
Quand il versade son sang mainte dragme,
Dont de grïef me vint laisser douleur,
Qui m'en pensa oster la vie & frayeur,
De perdre, las ! le seul rampart qui m'arme.
Pour luy depuis j'ay meprisé l'honneur,
Ce qui nous peult seul pourvoir de bonheur.
Pour luy j'ay hazardé grandeur & conscience,
Pour luy tous mes parens j'ay quitté & amis,
Et tous autres respectz sont à part mis,
Brief, de vous seul je cherche l'alliance.

De vous, je dis, seul soustien de ma vie,
Tant seulement je cerche m'asseurer ;
Et si ose de moy tant presumer,
De vous gaigner maugré toute l'envie :
Car c'est le seul desir de vostre chere amie,
De vous servir, & loyaument aimer,
Et tous malheurs moins que rien estimer,

Et vostre volonté de la mienne suivre
Vous congnoistrez aveques obeïssance,
De mon loyal devoir n'obmettant la sciénce,
A quoy j'estudiray pour tousjours vous complaire,
Sans aimer rien que vous, soubs la subjection
De qui je veux sans nulle fiction,
Vivre & mourir ; & à ce j'obtempere.

Mon cœur, mon sang, mon ame, & mon soucy,
Las ! vous m'avez promis qu'aurons ce plaisir
De deviser aveques vous à loisir,
Toute la nuict, ou je languis icy,
Ayant le cœur d'extreme paour transy,
Pour voir absent le but de mon desir.
Crainte d'oublir un coup me vient saisir,
Et l'autre fois je crains que endurci
Soit contre moy vostre aimable cœur,
Par quelque dit d'un meschant rapporteur :
Une autre fois je crain quelque aventure,
Qui par chemin destourne mon amant,
Par un fascheux, & nouveau accident :
Dieu destourne tout malheureux augure.

Ne vous voyant selon qu'avez promis,
J'ay mis la main au papier pour escrire,
D'un different que j'ay voulu transcrire.
Je ne sçay pas quel sera vostre advis ;
Mais je sçay bien qui mieux aimer sçaura,
Vous diriez bien qui plus y gaignera.[1]

[1] On the subject of these sonnets the reader may consult Whitaker, iii. ; Lord Hailes's Remarks on the History of Scotland, cap. xi. ; and Tytler's Inquiry.

APPENDIX G.

As to the place where the queen was intercepted by Bothwell, the following "remission" appears to furnish the best evidence:—

Preceptum remissionis Andree reidpeth in deringtoun pro arte et parte proditorie vemencie in comitiua cum Jacobo comite de boithuile et insidiationis vie regine S. D. N. regis charissime matris Ipsa reuertente a burgo de Striuiling ad burgum de Edinburcht prope aquam de Awmond Et pro captione et raptu eius nobilissime persone et ductione eiusdem cum eis ad castrum de dunbar ipsam ibidem captiuam detinendo et pro arte et parte proditorie fortificationis et detentionis dicti castri domus et fortalicij de dunbar contra regem et suam auctoritatem mensibus aprilis Maij augusti et septembris ultimo elapsis commissis Et pro omnibus actione et criminibus etc. Necnon pro omnibus aliis actionibus etc. murthuro quondam henrici regis charissimi patris dicti S. D. N. regis duntaxat excepto etc. Apud dunbar primo die mensis Octobris Anno domini etc. lxvij^to^

Per signetum

(Registrum Secreti Sigilli, lib. xxxvij. fol. 21; MS., Gen. Register House, Edinburgh.)

Another "remission" for the same offence:—

Preceptum remissionis Adami portuous in halkschaw et Johannis melros in finglen pro arte et parte in comitiua cum Jacobo comite de boithuile domino hailis creichtoun etc. magno admirallo regni Scotie proditorij raptus nobilissime persone S. D. N. regine Ipsa proficiscente iter suum a burgo de linlithgw ad burgum de Edinburcht et portationis et deductionis dicte regine ad castrum de dunbar suamque personam in eodem in carcere et captiuitate ad eorum libidinem detinendi et restringendi in mense aprili ultimo elapso commissorum Et pro omnibus actione et crimine etc. Necnon pro omnibus aliis actionibus criminibus proditionibus trans-

gressionibus et offensis quibuscunque per ipsos aut eorum alterum aliquibus temporibus retroactis diem date presentium precedentibus commissis seu quomodolibet perpetratis etc. Apud Edinburcht decimo die mensis Maij Anno etc. lxvij^to^

Per signetum

(Reg. Secr. Sig., lib. xxxvj. fol. 97.)

The summons of treason against Bothwell and his associates (Thomson's edition of the Acts of the Parliament of Scotland, iii. 5 *et seq.*), after charging them with the murder of Darnley, proceeds thus:—

Ac etiam pro eorum proditoria interceptione nobilissime persone clarissime matris nostre Marie Scotorum regine in via sua inter linlythgow et oppidum Edinburgi prope pontes vulgo vocatos foull briggis eam adoriendo cum mille equitibus armatis more bellico instructis mense aprilis ultime elapso ac proditoria et violenta incarceratione nobilissime persone dicte charissime matris nostre in castro nostro de dunbar et detentione eiusdem in dicto castro ad spatium duodecim dierum.

APPENDIX H.

The PROTESTATIOUN of the ERLIS of HUNTLEY and ARGYLL, touching the Murthour of the KING OF SCOTTIS.

(*A copy—Cot. Libr., Cal., C.* i. *fol.* 287.)

We George Erle of Huntley, Lord Gordoun, and great Chancellour of Scotland, and we Archibald Erle of Ergile, Lord Campbell and Lorne, and greit Justiciar of the said realme; It mott be kend till all and sindrie [to] quhais knawledge thir presentis sall cum, how we (being informit that sum disobedient subjectis to the Quene's Majestie our soverane Lady, for excuse and covering of thair taking armour aganis hir Hienes, imprisoning of hir maist nobill persoun,

usurping of hir Grace's auctoritie, practising the keiparis of the principal places and fortressis of hir realme, invading thairof, reiving and spuilzeing hir Majestie's pretious movabillis, jewellis, and stanes of greit valour, durst, in lying falsly and calumniously, accuse hir Hienes to have bene of the foirknawledge, counsallit, devysit, perswadit, and commandit the murthour committit in the persoun of umquhile Henry Stewart, hir Majestie's husband) will, for the dewtie of guid and faithful subjectis, and discharge of our consciences afoir God and the warld, declair that quhilk we knaw of the said murthour. That is to say,

In the zeir of God 1566 zeiris, in the moneth of December, or thairby, eftir hir Hienes's greit and extreme seiknes, and retourning from Jedwart, hir Grace being in the castel of Craigmillar, accompanyit be us abone written, and be the Erlis of Bothwell, Murray, and Secretaire Lethingtoun; the said Erle of Murray and Lethingtoun came in the chamber of us the Erle of Ergile in the morning, we being in our bed; quha "lamenting the banishment of the Erle of Mortoun, Lordis Lyndsay and Rowen, with the rest of thair factioun, said, That the occasioun of the murthour of David, slain be thame in presence of the Quene's Majestie, was for to troubill and impesche the parliament; quhairin the Erle of Murray and utheris sould have bene foirfaltit, and declarit rebellis. And séing that the samin was chieflie for the weilfare of the Erle of Murray, it sould be estemit ingratitude gif he and his friendis, in reciproque manner, did not interpryse all that wer [in thair] puissance for releif of the saidis banishit; quhairfoir thay thocht, that we, of our part, sould haye bene as desyrous thairto as thay wer."

And we agréing to the same, to do all that was in us for thair releif, provyding that the Quene's Majestie sould not be offendit thairat: On this Lethingtoun proponit and said, "That the narrest and best way till obtene the said Erle of Mortoun's pardoun, was, to promise to the Quene's Majestie to find ane moyen to mak divorcement betwix hir Grace and the King hir husband, quha had offendit hir Hienes sa hielie in mony wayis."

Quhairunto we answering, That we knew not how that

myght be done; Lethingtoun said, the Erle of Murray being ever present, "My Lord, Cair zou not thairof. We sall fynd the meane weill aneuch to mak hir quite of him, swa that ze and my Lord of Huntlie will onlie behald the matter, and not be offendit thairat."

And then thay send to my Lord of Huntlie, praying him to cum to our chalmer.

This is as thay dealit with us particularlie. Now lat us schaw quhat followit efter that we wer assemblit.

We Erle of Huntlie being in the said chalmer, the saidis Erle of Murray and Lethingtoun oppinit the matter lykwise to us in manner foirsaid, promising, if we wald consent to the samin, that they sould fynd the mean to restoir us in our awin landis and offices, and thay to stand guid friendis unto us, and cause the said Erle of Mortoun, Rowen, and all the rest of that cumpanie, to do the like in time cuming. Our answer was, it sould not stop be us, that the matter cum not to effect, in all myght be proffitfull and honorabill baith for thame and us, and speciallie quhair the pleasour, weill and contentment of the Quene's Majestie consistit. And thairon we four, viz. Erlis of Huntlie, Ergile, Murray, and Secretaire Lethingtoun, past all to the Erle of Bothwell's chalmer, to understand his advise on thir thingis proponit; quhairin he ganesaid not mair than we.

Swa thairefter we past altogidder towardis the Quene's Grace; quhair Lethingtoun, efter he had rememberit hir Majestie of ane greit nombre of grievous and intollerabill offences, that the King, as he said, ingrait of the honour ressavit of hir Hienes, had done to hir Grace, and continewing everie day from evil to worse; proponit, "That gif it pleisit hir Majestie to pardoun the Erle of Mortoun, Lordis Rowen and Lyndsay, with thair cumpanie, thay sould fynd the meanis with the rest of the Nobilitie, to mak divorcement betwix hir Hienes and the King hir husband, quhilk sould not neid hir Grace to mell thairwith. To the quhilk it was necessare, that hir Majestie tak heid to mak resolutioun thairin, als weill for hir awin easement als weill of the realme; for he troublit hir Grace and us all; and remaining with hir Majestie, wald not ceis till he did hir sum uther evil turn,

quhen that hir Hienes wald be mekil impeschit to put remeid thairto."

Efter thir persuasiounis, and utheris divers, quhilk the said Lethingtoun usit, by* these that everie ane of us schew particularlie to hir Majestie to bring hir to the said purpois, hir Grace answerit, "That under twa conditiounis scho myght understand the samin; the ane, that the divorcement wer maid lauchfullie; the uthir, that it war not prejudice to hir sone; utherwayis hir Hienes wald rather endure all tormentis, and abyde the perrellis that myght chaunce hir in hir Grace's lyftyme." The Erle of Bothwell answerit, "That he doutit not bot the divorcement myght be maid but prejudice in ony wayis of my Lord Prince;" alledging the exampill of himself, that he ceissit not to succeid to his father's heritage without only difficultie, albeit thair was divorce betwixt him and his mother.

It was alswa proponit, that efter thair divorcement the King sould be him allane in ane part of the countrey, and the Quene's Majestie in ane uther, or ellis he sould reteir him in ane uther realme; and heiron hir Majestie said, "That peradventure he wald change opinioun, and that it wer better that scho hirself for ane tyme passit in France, abyding till he acknawledgit himself." Then Lethingtoun taking the speache said, "Madame, Fancie ze not we ar heir of the principal of zour Grace's nobilitie and counsal, that sall fynd the moyen, that zour Majestie sall be quyte of him without prejudice of zour sone. And albeit that my Lord of Murray heir present be lyttill les scrupulous for ane Protestant, nor zour Grace is for ane Papist, I am assurit he will luik throw his fingeris thairto, and will behald our doingis, saying nathing to the samin." The Quene's Majestie answerit, "I will that ze do nathing quhairthro ony spot may be layit to my honor or conscience, and thairfoir I pray zou rather lat the matter be in the estait as it is, abyding till God of his guidness put remeid thairto; that ze beleifing to do me service may possibill turn to my hurt and displeasour." "Madame, (said Lethingtoun) lat us guyde the matter amangis us, and zour Grace sall sé nathing bot guid, and approvit be parliament."

* Besides.

Swa efter the premissis, the murthour of the said Henry Stewart following, we judge in our consciences, and haldis for certane and treuth, that the saidis Erle of Murray and Secretarie Lethingtoun wer auctoris, inventaris, devyseries, counsallouris, and causeries of the said murthour, in quhat maner, or be quhatsumever persounis the samin was execute.

And quhair the saidis Erle of Murray and Lethingtoun, or ony of thame, will deny and ganesay to the foirsaid, we ar deliberat to defend the samin be law of armis, as our awin proper honour, in quhatsumever place they will cheise in Scotland, afoir the estaitis thairof; out of the quhilk realme we cannot pass, be ressoun of the troubillis ar thairintill. And gif the Quene's Majestie of Ingland pleisis to send ony in hir name, to heir and sé the premissis defendit, the samin sall be put to executioun in thair presence. And albeit that Lethingtoun be nouther of qualitie nor blude equal unto us, notwithstanding we will admit and ressave him in combat with the said Erle of Murray, gif thay will baith present thameselfis thairto. And quhair ane of thame onlie wald deny and ganesay it that is afoir rehersit, and accept the said combat, outher the ane or the uther of us sall ressave the samin; protesting that gif thay answer not directlie to this our present attestatioun, declaratioun, accusatioun and cartell, they sall be repute guiltie and vainquissit of the said murthour. In witness of the quhilk we have subscrivit thir presentis with our handis, and seillis of our armis affixit thairto, at the day of and at the day of the said moneth, the zeir of God ane thousand, fyve hundred, threscoir aucht zeiris, and of our soverane Lady's Regime the xxvij. zeir.

Ane ANSWER by the EARL of MURRAY, Regent, to the Protestation of the EARLS of HUNTLY and ARGYLL.

(An original—pasted on the back of the Protestation.)

Because the custume of my adversaris is, and has bene, rather to calumpniat and backbite me in my absence, than befoir my face; and that it may happen thame, quhen I am departit furth of this realme, sclanderouslie and untrewlie to

report untreuthis of me, and namelie, towardis sum spechis haldin in my hearing at Craigmillar, in the moneth of November, 1566. I have alreddie declarit to the Quene's Majestie the effect of the haill purposis spokin in my audience at the samin tyme, sincerelie and trewlie, as I will answer to Almychtie God, unconceilling ony part to my remembrance, as hir Hienes I traist will report. And farther, in cais ony man will say and affirm that ever I was present quhen ony purposis wer haldin at Craigmillar in my audience, tending to ony unlauchful or dishonorabill end, or that ever I subscrivit ony band there, or that ony purpois was haldin anent the subscriving of ony band be me, to my knawledge; I avow thay speik wickitlie and untrewlie, quhilk I will mantene aganis thame, as becumis ane honest man, to the end of my lyfe; onlie this far the subscriptioun of bandis by me is trew, That indeed I subscrivit ane band with the Erlis of Huntlie, Ergile, and Bothwell, in Edinburgh, at the beginning of October the samin zeir, 1566, quhilk wes devysit in signe of our reconciliation, in respect of the former grudges and despleasouris that had bene amangis us; quhairunto I was constranit to mak promise befoir I could be admittit to the Quene's presence, or have ony schew of hir favour; and thair wes never na uther band ather maid or subscrivit, nor zit proponit to me in ony wayis, befoir the murthour of umquhile the King, father to the King, now my Soverane: Nouther zit, efter the murthour, wald I ever, for ony persuasioun, agrè to the subscriptioun of ony band, howbeit I was earnestlie urgit and pressit thairto be the Quene's commandment.

This far I thocht guid to put in write, and leif behind me in cais (as I have befoir said) my adversaris, in my absence, hald speche, and report untrew matteris of me, to my dishonour or disadvantage.

Subscrivit with my hand at London the nyntene day of Januar, 1568.

JAMES REGENT.

Below is written in Secretary's Cecil's hand, thus :—

19 Januar, 1568.

An answer to the Erle of Murray, to a wryting of the Erle of Huntly and Argyll.

APPENDIX I.

The NAMES of such as are to be entertayned in Scotland by Pencions out of England.

(*From original in British Museum, Caligula, C.* v. *fol.* 119.)

	£	
The Regent	500	⊏ Moreton.
〃 Thearle of Angush	100	⊏ E. Rothos daughter.
Thearle of Atholl	200	Δ Fleminge Grand Prieurs Sister.
Thearle of Argile	200	The E. Marshalls daughter.
〃 Thearle of Montrosse	100	Δ Dromond daug.
〃 Thearle of Rothosse	100	⊏ Ruthis sister. Mefens wife.
〃 × Thearle of Clinkarn (Glencairn)	100	
〃 × The Countesse of Marre	200	Tilliburnes sister.
The Mr of Askyn (Erskine)	150	Humes sister.
The L. Glames	100	⊏
The L. Ruthin	100	Δ L. Mefens sister.
The L. Lindsay	100	L. Lochleuins sister.
The L. Boyd	100	Mr
The L. Harris (Herries)	100	Mr
〃 × The L. Maxwell	100	Mr E. of Anguish sister.
〃 × The L. Loughleuin	50	⊏〃 2000.
The L. Boldukell	50	
The L. of Domwrassell (Drumwhassel)	100	
The L. of Ormeston	50	L. Cawdens daughter.
James M'gell	100	Mr
Buckannon	100	Mr
Nicholas Eluiston	50	
Peter Younge scholemr	30	
Alexander Hay	40	
Carmichell		

APPENDIX K.

BAND made by a number of the Nobility in favour of the EARL of BOTHWELL, 19th April 1567.

(*A copy—from the Cotton Library, Caligula, C.* i. *fol.* 1.)

Wee undersubscryveand understanding, that altho' the nobill and mightie Lord James Erle Bothwell, Lord Halis, Creightoun, and Liddesdaile, Great Admirall of Scotland, and Lievetennent to our Soverane Lady ouer all the marches, thairof, being not onlie bruitit and calumniat be Placartes privilie affixit on the publick Places of the Kirk of Edinburgh, and utherwayes sklanderit be his evill willaris, and privie Enymeis, as airt and pairt of the haynous murthour of the King, the Quene's Majesteis lait husband, but also be speciall letteris sent to her Hienes be the Erle of Lennox, and delaitit of the samyne Cryme, qua in his Letteris earnestlie desyrit and requyreit the said Erle Bothwell to be tryit of the said Murthour, he be condigne Inqueist and Assise of certane nobillmen his Peares and utheris Baronnes of gud reputation, is fund guiltles and innocent of the odious Cryme objectit to him, and acquite thairof, conforme to the Lawes of this Realme, quha also for farder Tryell of his Part, has offerit him reddie to defend and mantane his innocencie, contrair all that will impugne the samyne, be the Law of Armes, and sua hes omittit nothing for the perfyte Tryell of his accusatioune, that any Nobillman of Honor or be the Lawes ought to underlye and accomplishe, and wee, considering the Anciencie and Nobillnes off his Houis, the honorable and guid Service done be his predecessoris, and speciallie himselffe to our Soverane, and for the defence of this her Hienes Realme againis the Enymeis thairof, and the Amitie and Friendshipe quhilk sa lang hes perseverit betwix his Houis and everie ane of us, and utheris our Predecessoirs in particular, and therwithall seing how all nobillmen being in Reputation, Honor and Credite

with their Soverane, are commonlie subject to sustene asweill the vaine Bruites of the common People inconstant, as the Accusatiouns and Calumnies of thare adversers, invyfull of our place and vocation, quhilk we of our dewtie and Friendship are astricht and debtbund to repress and withstand: THAIRFORE oblies us, and ilk ane of us, upon our Faith and Honors, and Treuth in our Bodies, as we are Nobillmen, and will answer to God, that in caice heirefter anie maner of Person or Persones, in quhatsumever manner sall happin to insist farder to the sklander and Calumniatioun of the said Erle of Bothwell, as participant airt or pairt of the said hyneous murthor, quhairof ordinarie Justice hes acquite him, and for the quhilk he hes offerit to do his Devoire be the Law of Armes, in manner above rehersit; we, and every ane of us, be our selffes, our Kyn, Friendis, Assistaris, Partakeris, and all that will doe for us, sall tak trew effauld,* plane, and upricht Pairt with him, to the defence and mantenance of his Quarrell, with our Bodies, Heretage, and Guids, aganis his privie or publick Calumnyatoris, bypast or to come, or onie utheris presumeand onie Thing in word or deid to his Reproach, Dishonour or Infamie. MAIKOVIR, weying and considdering the Tyme present, and how our Soverane the Quenes Majestie is now destitute of a Husband, in the quhilk solitarie state the Commonweale of this Realme may not permit her Hienes to continew and indure, but at sum Tyme her Hienes may be inclynet to yield unto a Mariage; and thairfore in caice the former affectionate and hartlie Service of the said Erle done to her Majestie from tyme to tyme, and his uther gude Qualities and Behaviour, may move her Majestie so farr to humble her selff, as preferring ane of her native-born subjectis unto all forrane Princis, to tak to husband the said Erle, wee, and everie ane of us undersubscryveand, upon our Honors and Fidelitie, oblies us and promitts, not onlie to forder, advaunce, and set fordwart the Mariage, to be solemnizat and compleitit betwix her Hienes and the said nobill Lord, with our Voatis, Counsell, Fortificatioun, and Assistance in word and deid at sic Tyme as it sall pleis her Majestie to think it convenient, and how sone the Lawes sall leave it to

* Honest.

be done;[1] but in caice onie wald presume directlie or indirectlie, openlie or under quhatsumevir Colour or Pretence, to hinder, hald back, or disturb the same Mariage, we sall in that behalfe esteime, hald and repute the Hinderaris, Adverseris, or Disturbaris thairof, as our comoune Enemyis and evill willeris; and notwithstanding the samyne, tak Pairt and fortifie the said Erle to the said Mariage, so farr as it may plcise our said Soverane Lady to allow; and thairin sall spend and bestow our Lyves and Guidis againes all that levie or die may, as we sall answer to God, and upon our awin Fidelities and Conscience; and in caice we doe in the contrare, nevir to have Reputation or Credite in na Tyme heirefter, but to be accounted unworthie and faithles Traytors. In witnes of the quhilk we have subscryveit thir Presents, as follows, at Edinburgh, the 19 day of Aprile, the Zeire of God 1567 Zeires.

To this the Queene gave her consent the night befoir the Mariage, quhilk was the 14 Day of May, the Zeir of God forsaid, in this Forme.

The Queenes Majestie haveing sene and considderit the Band above writtine, promittis in the word of a Princesse, that she, nor her Successoris, sall nevir impute a Cryme or Offence to onie of the Personis subscryveris thairof, thaire consent and subscriptioun to the matter above written, thairin contenit; nor that thai, nor thair Heires, sall nevir be callit nor accusit thairfor; nor zit sall the said consent or subscryving be onie Derogatioun or Spott to thair Honor, or thai esteemit undewtifull subjectis for doing thairof, notwithstanding quhatsumevir thing can tend or be allegeit in the contrare. In witnes quhairof her Majestie hes subscryveit the samyne with her awin Hand.

At the end of the bond there is added;—

The names of such of the Nobilitie as subscribed the Band so far as John Read might remember, of whome I had this

[1] That is to say, when Bothwell shall have been divorced from his wife.

copie, beeing his owne hand beeing commonly termed in Scotland Aynslics Supper.

The Earls of	Lords
MURRAY.	BOYD.
ARGYLL.	SEYTON.
HUNTLY.	SINCLAIR.
CASSILIS.	SEMPLE.
MORTON.	OLIPHANT.
SUTHERLAND.	OGILVIE.
ROTHES.	ROSSE-HACAT.
GLENCAIRN.	CARLEILE.
CAITHNESS.	HERRIES.
	HUME.
	INNERMEITH.

Eglinton subscribed not, but slipped away.—See *ante*, p. 301.

APPENDIX L.

THOMAS CRAWFORD'S DEPOSITION (Scotland, t. xiii., No. 14).

The wordes betwixt the quene and me Thomas Crawforde bye the waye as she came to Glasco to fetche the kinge, when mye L mye master sent me to shewe her the cause whye he came not to mete her him sellfe.

Firste I made mye L mye masters humble commendaçons unto her Ma^ti^ wth thexcuse y^t^ he came not to mete her praing her grace not to thinke it was eather for prowdnesse or yet for not knowinge hys duetye towardes her highnesse, but onelye for wante of helthe at y^t^ present, and allss y^t^ he woulde not presume to com in her presence untille he knewe farder her minde bicause of the sharpe wordes y^t^ she had spoken of him to Robert Cuningham hys servant in Sterling wherebye he thowght he was in her ma^tis^ displesure now^th^ standinge he hathe sent hys servants ad frends to waite uppon her ma^ti^.

She aunswered y^t^ there was no recept againste feare.

I aunswered y^t^ mye L had no feare for anie thinge he knewe in him sellfe, but onelye of the colde and unkinde wordes she had spoken to hys servant.

She aunswered and said y^t^ he woulde not be afraide in case he were not culpable.

I aunswered y^t^ I knewe so farre of hys Lordeship y^t^ he desired nothinge more than y^t^ the secretts of everye creatures harte were written in theire face.

She asked me yf I had anie farder commission.

I aunswered no.

Then she comannded me to holde my peace.

The wordes y^t^ I remembr were betwixt the kinge and the Q. in Glasco when she tooke him awaie to Edinbrowghe.

The kinge for y^t^ mye L hys father was then absent and sicke, bye reason whereof he coulde not speke w^t^ him him sellfe, called me unto him and theise wordes y^t^ had then passed betwixt him and the Queen, he gave me in remembrance to reporte unto the said mye Lord hys father.

After theire metinge and shorte spekinge together she asked him of hys lettres, wherein he complained of the cruelltye of som.

He aunswered y^t^ he complained not wth out cause and as he beleved, she woulde graunte her sellfe when she was well advised.

She asked him of his sicknesse, he aunswered y^t^ she was the cause thereof, and moreover he saide, ye asked me what I ment bye the crueltye specified in my lettres, yt procedeth of yo^u^ onelye y^t^ wille not accepte mye offres and repentance. I confesse y^t^ I have failed in sōm things, and yet greater faultes have bin made to yo^u^ sundrye times wch ye have forgiven. I am but yonge, and ye will saye ye have forgiven me diverse tymes. Maye not a man of mye age for lacke of counselle, of wch I am verye destitute, falle twise or thrise, and yet repent and be chatised bye experience? yf I have made anye faile y^t^ ye but thinke a faile, howe so ever it be, I crave yor pardone and proteste y^t^ I shall never faile againe.

I desire no other thinge but y^t^ we maye be togather as husband and wife. And yf ye will not consent hereto, I desire never to rise forthe of thys bed. Therefore I praye yo^u^ give me an aunswer hereunto. God knoweth howe I am punished for makinge mye god of yo^u^ and for havinge no other thowght but on yo^u^ And if anie tyme I offend yo^u^, ye are the cause, for y^t^ when anie offendethe me, if for mye refuge I might open mye minde to yo^u^ I woulde speak to no other, but when anie thinge ys spoken to me, and ye and I not beinge as husband and wife ought to be, necessite compellethe me to kepe it in mye breste and bringethe me in suche melancolye as ye see me in.

She aunswered y^t^ it semed him she was sorye for hys sicknesse, and she woulde finde remedye therefore so sone as she might.

She asked him whye he woulde have passed awaye in Thenglishe shippe.

He aunswered y^t^ he had spoken w^t^ thenglishe man but not of minde to goe awaie w^t^ him And if he had, it had not bin wth out cause consideringe howe he was used. For he had neather to susteine him sellfe nor hys servants, and neded not make farder rehersalle thereof, seinge she knewe it as well as he.

Then she asked him of the purpose of Hegate.

He aunswered y^t^ it was tolde him.

She required howe and bye whome it was told him. He aunswered y^t^ the L of Minto tolde him y^t^ a lettre was presented to her in Cragmiller, made bye her owne divise and subscribed bye certeine others who desired her to subscribe the same, wch she refused to doe. And he said y^t^ he woulde never thinke y^t^ she who was hys owne propre fleshe, woulde do him anie hurte, and if anie other woulde do it theye shuld bye it dere, unlesse theye tooke him slepinge albeit he suspected none so he desired her effectuouslye to beare him companye, For she ever fownde some adoo to drawe her sellfe from him to her owne lodginge, and woulde never abyde w^t^ him paste two howres at once.

She was verye pensiffe whereat he fownd fault, he said to her y^t^ he was advertised she had browght a litter w^t^ her.

She aunswered y^t^ bicause she understoode he was not hable to ryde on horsebacke, she browght a litter y^t^ he might be caried more softlye.

He aunswered y^t^ yt was not mete for a sick man to travelle y^t^ coulde not sitt on horse backe and especiallye in so colde weather.

She aunswered y^t^ she would take him to Cragmillar where she might be w^t^ him and not farre from her sonne.

He aunswered y^t^ uppon condiçon he would goe wth her wch was y^t^ he and she might be to geather at bedde and borde as husband and wife, and y^t^ she should leave him no more. And if she would promise him y^t^, uppon her worde he woulde goe wth her, where she pleased wth out respect of anye danger eather of sickness wherein he was, or otherwise. But if she would not condescend thereto, he woulde not goe wth her in anye wise.

She aunswered y^t^ her comminge was onelye to y^t^ effect, and if she had not bin minded thereto, she had not com so farre to fetche him, and so she graunted hys desire, and promised him y^t^ it should be as he had spoken, and thereuppon gave him her hand and faithe of her bodye y^t^ she woulde love him and use him as her husband, notw^t^ standinge before they could come to geather he muste be purged and clensed of hys sicknesse, wch she trusted woulde be shortlye, for she minded to give him the bathe at Cragmillar.

Than he said he wold doe whatsoever she woulde have him doe, and would love all y^t^ she loved.

She required of him in especialle, whome he loved of the nobilitie, and whome he hated.

He aunswered y^t^ he hated no man, and loved all alike welle.

She asked him howe he liked the Ladye Reresse and if he were angrye wth her.

He aunswered y^t^ he had little minde of suche as she was, and wished of god she might serve her to her honor.

Then she desired him to kepe to him sellfe the promise betwixt him and her, and to open it to no bodye. For peradventure the Lordes woulde not thinke welle of theire suddine agrement, considering he and theye were at some wordes before.

He aunswered y^t^ he knew no cause whye theye shuld mislike of it, and desired her y^t^ she would not move anye of them againste him even as he wolde stirre none againste her, and y^t^ theye would worke bothe in one minde, otherwise it might tourne to great inconvenience to them bothe.

She aunswered y^t^ she never sowght anye waie bye him but he was in faulte him sellfe.

He aunswered againe y^t^ hys faultes were published and y^t^ there were y^t^ made great^r^ faultes than ever he made y^t^ beleved were unknowen, and yet they woulde speke of greate and smale.

Farder the kinge asked me at y^t^ present time what I thowght of hys voyage. I aunswered y^t^ I liked it not, bicause she tooke him to Cragmillar. For if she had desired him w^t^ her sellfe or to have had hys companye, she would have taken him to hys owne house in Edinbro where she might more easelye visitt him than to travelle two myles owt of the towne to a gentlemans howse. Therefore mye opinion was y^t^ she tooke him awaye more like a prisoner than her husband.

He aunswred y^t^ he thowght little lesse him sellfe and feared him sellfe indede save the confidence he had in her promise onelye, notw^t^ standinge he woulde goe w^t^ her, and put him sellfe in her handes, thowghe she showlde cutte hys throate and besowght god to be judge unto them bothe.

Endorsed: Thomas Crawfords deposit.

APPENDIX M.

Opinion of English civilians, advising that the Queen of Scots ought to be allowed to appear in person to answer the charges preferred against her. It is attached to a despatch of Fénélon, dated 15th December 1568 (i. 51).

This opinion was given in reply to the following questions:

1. Que la Royne d'Escoce demande estre ouye personellement en sa cause;

2. N'advouant toutefois q'autre que Dieu ayt jurisdiction sur elle;

3. Et qu'elle puysse desduyre son faict devant la Royne d'Angleterre sa bonne sœur,

4. En présence de la noblesse du dict pays d'Angleterre,

5. A ce assistans les ambassadeurs de France et d'Espaigne,

6. En ceste ville de Londres.

To some of these points the civilians took exception, but the conclusion at which they arrived was the following:—

"Nous estimons ceste volontaire offre d'estre ouye si importante que sommes d'advis qu'on luy concède tout ce qu'elle demande, ne contrevenant en rien à la Royne d'Angleterre et ne préjudiciant à sa majesté, affin que personne n'ait que dire de la facon de procèder qu'on aura tenu en cette affaire."[1]

[1] Fénélon does not give the names of the persons consulted. He calls them "advocats et gens de lettres de ceste ville."

END OF THE FIRST VOLUME.

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